



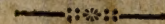
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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
STATE OF INDIANA;
BEING THE
SIXTH SESSION
OF THE
GENERAL ASSEMBLY,

Begun and Held at Corydon, in said State, on
Monday the nineteenth day of November

1821.



NEW ALBANY, IND.
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JOURNAL

OF THE HOUSE OF REPRESENTATIVES,

AT THE SIXTH MEETING

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF INDIANA,

Begun and held at the town of Corydon in Harrison County, and State aforesaid, on the 19th day of November, in the year of our Lord eighteen hundred and twenty one, pursuant to a proclamation for that purpose, issued and published by his Excellency Jonathan Jennings, Governor of the state aforesaid, dated the 30th day of October in the year aforesaid; on which said 19th day of November the following Representatives appeared, to wit:

From the county of Knox—General W. Johnston and Benjamin S. Beckes.

From the counties of Davis and Martin, being one Representative district—James G. Reed.

From the county of Vigo—Joseph Shelby.

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From the county of Jefferson—Copland P. J. Arion and Israel T. Canby.

From the county of Jennings—Zenas Kimberly.

From the county of Clark—John Miller and John H. Thompson.

From the county of Floyd—Moses Kirkpatrick.

From the county of Washington—Samuel Milroy and Noah Wright.

From the county of Jackson—James Braman.

From the county of Scott—William D. Clark.

From the county of Orange—Charles Dewey and Alexander Wallace.

From the county of Lawrence—John Milroy.

From the county of Monroe—David H. Maxwell.

From the county of Harrison—John Tipton and John N. Dunbar.

From the county of Crawford—Henry Green.

From the county of Posey—Charles I. Battell.

From the county of Gibson—William Prince.

From the county of Vanderburgh, and so much of Warrick county as is included in Boon and Anderson townships, being one Representative district—Hugh M. Donaghe.

From the counties of Spencer, Perry, Dubois, and so much of Warrick county as is included in Luce township, being one Representative district—Thomas Vandeyer.

From the county of Switzerland—Samuel Merrill and William B. Chamberlin.

From the county of Ripley—Joseph Bentley.

From the county of Dearborn—Erasmus Powell, Amor Lane and Ezra Ferris.

From the county of Bartholomew—John Lindsey,

Who produced their credentials, were sworn into office by the Hon. Isaac Blackford, one of the judges of the Supreme Court of the state of Indiana, and took their seats in the Representatives' chamber.

The house proceeded by ballot to elect a speaker, and upon examination it appeared, that Samuel Milroy, a member from the county of Washington, was duly elected, and was conducted to the chair.

The House then proceeded by ballot, to the election of a principal clerk, and upon examination it appeared, that John F. Ross was duly elected.

The House then proceeded by ballot, to the election of an assistant clerk, and upon examination it appeared, that Henry F. Thornton was duly elected.

The clerks were then sworn into office, and took their seats at the clerks' table.

The House then proceeded to the election of a door-keeper, and upon examination it appeared, that John Moore was duly elected, who was called in and sworn into office.

A message from the Senate by Mr. Slaughter.

Mr. Speaker,

I am directed by the president of the Senate, to inform the House of Representatives, that a quorum of the Senate have assembled, and elected James Morrison their secretary, Robert A. New their assistant secretary, and Henry Battman their door keeper, and that they are now ready to proceed to Legislative business.

(6)

On motion of Mr. Johnston,

Ordered, That the clerk of this House inform the Senate, that the House of Representatives have formed a quorum, have elected Samuel Milroy speaker, John F. Ross principal clerk, Henry P. Thornton assistant clerk and John Moore door keeper, and are now ready to proceed to Legislative business.

On motion,
The house adjourned till three o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Johnston,

Resolved, That the rules and orders for conducting business as adopted and practiced by the House of Representatives at their last session be, and the same are hereby adopted for the present session, until otherwise altered, and that the senate be informed thereof.

On motion of Mr. Dunbar,

Resolved, That a committee be appointed, to enquire whether any arrangements have been made to furnish this house with stationery, and if not, the said committee so appointed be authorized to make the necessary arrangements for the same:
And

Thereupon,
Messrs. Dunbar, Ferris and Tipton were appointed said committee.

On motion of Mr. Tipton,

Resolved, That a committee be appointed to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor,

(7)

and inform him that a quorum of both houses of the Legislature have convened, elected their officers, and are now ready to receive any communication he may be pleased to make to them, and that the Senate be informed thereof:—And

Thereupon,

Messrs. Tipton and Ferris were appointed a committee on the part of this house.

On motion of Mr. Ferris.

Resolved, That a committee be appointed, to enquire into the expediency of providing by law, for electing township officers annually by the electors of their townships respectively, with leave to report by bill or otherwise—And

Thereupon,
Messrs. Ferris, Maxwell and Miller, were appointed said committee.

A message from the Senate by Mr. Harrison.

Mr. Speaker,

I am directed to announce to the house of Representatives, that the Senate have adopted the following resolution, to which they desire the concurrence of this house.

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee, which may be appointed on the part of the House of Representatives, to wait on his excellency the Governor, and inform him that both houses of the Legislature have met, formed a quorum,

and are now ready to receive any communication, he may be pleased to make to them, and to learn of him at what time and place he will make said communication—and that the house of Representatives be informed thereof, and a similar committee on their part requested—and that the Senate have appointed messrs. Harrison and Bennett a committee on their part—

And then he withdrew.

A message from the Senate by Mr. Slaughter:

Mr. Speaker,

I am directed by the president of the Senate to inform the House of Representatives, that the Senate have adopted the Joint Rules and Regulations of the last session, as the joint rules and regulations for the government of the two Houses of the present General Assembly—

And then he withdrew.

On motion of Mr. Dunbar—

Resolved, That the joint rules and regulations for the government of both Houses of the General Assembly adopted at the last session, be adopted during the present session, and that the Senate be informed thereof.

Mr. Johnston, having obtained leave, presented the petition and accompanying documents of Peggy Harnis, praying a divorce from Michael Harnis her husband, which was read—And

On motion of Mr. Johnston—

Referred to a select committee of Messrs. Johnston, Beckes and Benefield, with leave to report by bill or other wise.

Mr. Thompson asked and obtained leave, to introduce a bill, to authorise the auditor of public accounts, to audit certain claims, which was read the first time, and ordered to a second reading on to-morrow.

Mr. Tipton, from the joint committee appointed to wait on his Excellency the Governor, reported as follows :

Mr. Speaker,

Your committee appointed to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor, have performed the duty assigned them, and received for answer, “that he has a communication to make, which he will make on to-morrow morning at 11 o’clock to both houses, in the chamber of the House of Representatives.

On motion of Mr. Merrill—

Resolved, That a committee be appointed, to enquire into the situation of the impeachment presented to the Senate at the last session of the General Assembly, against Curtis Gilbert, clerk of Vigo county—And

Messrs. Merrill, Shelby and Johnston, were appointed that committee.

On motion of Mr. Johnston—

Resolved, That a committee be appointed, to enquire into the unfinished business of this house at the last session—And

Thereupon,

Messrs. Johnston, Tipton and Powell were appointed said committee.

Mr. Ferris, having obtained leave, introduced a bill to repeal a joint resolution of the last session of the General As-

sembly, concerning the Treasurer of state, which was read the first time, and the rule being dispensed with, the same was read a second time—And

On motion,

Referred to a committee of the whole House, and made the order of the day for to-morrow.

On motion,

The House adjourned till to-morrow morning ten o'clock.

Tuesday morning, November 20th, 1821.

House met pursuant to adjournment.

George L. Murdock, a member from the County of Franklin and John Johnson a member from the County of Pike, appeared produced their credentials, were sworn and took their seats, as members of this House

The Speaker appointed the following standing committees, to wit :

Committee of Elections.

Messrs. Thompson, Powell, Braman, Kirkpatrick and Wright.

Committee of Ways and Means.

Messrs. Ferris, Beckes, Maxwell, Canby and Miller.

Committee on the Judiciary.

Messrs. Prince, Lane, Dunbar, Merrill, Johnson of Knox, Thompson, Dewey, Battell and Braman.

Committee on Education.

Messrs. Merrill, Dewey, Maxwell, Prince and Ferris.

Committee on Military Affairs.

Messrs. Tipton, Milroy, Powell, Bently, Wallace, Bensfield, Kimberly and Shelby.

Committee for enrolled bills on the part of the House.

Messrs. Lane, Johnston of Knox, Dunbar and Chamberlin,

Ordered, That the Senate be enformed of the appointment of the last mentioned Committee, and a similar Committee requested on the part of the Senate.

Mr. Dunbar from the select Committee on that subject made the following report.

Mr. Speaker,

The Committee appointed to enquire whether any arrangements have been made to furnish the House with Stationary, have discharged that duty and have ascertained that the necessary arrangements have been made for that purpose : they therefore submit the following Resolution.

Resolved, That the Committee be discharged from any further attention to the business of their appointment.

On motion by Mr. Maxwell—

Resolved, That the committee of elections be instructed to examine the returns made by the several counties in this State to the secretarie's office on the subject of voting *viva voce* or by ballot, and that they have leave to report by bill or otherwise.

On motion by mr. Maxwell—

Resolved, That a committee be appointed to examine the report of the commissioners appointed by the last General Assembly for the purpose of laying out a town and selling the lots at Indianapolis, and that they report to this House the proceedings that have been had thereon—and

Thereupon,

Messrs. Maxwell, Thompson and Powell, were appointed that committee.

The Speaker laid before the house the report of John G. Henderson, trustee of public seminary of Washington county, from which it appears there is in his hands, the sum of 454 dollars, eight and a half cents, which belongs to the public seminary of said county.

The speaker also laid before the house the report of D.F. Goldsmith, trustee of the public seminary of the county of Vanderburgh—from which it appears there is in his hands the sum of three hundred and sixteen dollars and fifty-five cents, belonging to the public seminary of said county.

The speaker laid before the house the report of John Brownlee, trustee of the public seminary of the county of Gibson—from which it appears there is in his hands the sum of three hundred and ninety-eight dollars, belonging to the seminary of said county.

The speaker laid before the house a presentment of the Grand Jury of Clark county, on the subject of the act regulating taverns, which was read and referred to the committee on the judiciary, with leave to report by bill or otherwise.

Mr. Merrill presented the petition of Ebenezer Phelps and others, praying that a part of Dearborn county may be attached to the county of Switzerland, which was read, and, on motion, committed to a select committee of Messrs. Merrill, Chamberlin, Ferris, Lane and Powell, with leave to report by bill or otherwise.

On motion by Mr. Dunbar—

Resolved, That the judiciary committee be instructed to inquire what amendments, if any, are necessary to the act prescribing the mode of changing the venue, with leave to report by bill or otherwise.

On motion by mr. Maxwell—

Resolved, That the judiciary committee be required to inquire what amendments, if any, are necessary to the law providing for the establishment of a State prison at Jeffersonville, in this State, and that they report by bill or otherwise.

On motion by mr. Dunbar—

Resolved, That the seats at the right of the speaker's chair be assigned to the Senate, while his Excellency, the Governor, makes his communication—and that the Senate be invited to attend immediately in the representative chamber to receive the same.

On motion by mr. Powell—

Resolved, That a committee be appointed on the part of

this house, to act with a similar committee to be appointed on the part of the Senate, to wait on his Excellency, the Governor and inform him, that both houses are now assembled in the Representatives' chamber, and are ready to receive the communication of his Excellency, and that the Senate be informed thereof, and a similar committee requested on their part,

On motion by Mr. Lane,

Resolved, That the Judiciary committee be instructed, to enquire into, and report by bill or otherwise, what relief, if any, ought to be granted to debtors, on all debts, contracts, and causes of action, which shall have been entered into, or accrued, or which may accrue, prior to the first day of January, 1822, and also, if imprisonment for debt (unless in cases of notorious fraud) is not incompatible with the genius of a free people.

On motion by Mr. Dunbar—

Resolved, That the judiciary committee be instructed to enquire into the expediency and policy of the existing laws on the subject of special bail, with leave to report by bill or otherwise.

A message from the Senate, by Mr. Harrison.

Mr. Speaker—

I am directed by the Senate, to announce to the House of Representatives that the Senate have adopted the following resolution, to wit :

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to wait upon his Excellency the Governor, and inform him, that both houses of the General Assembly are now assembled in the Representatives' chamber, and are ready to receive any communication which he may be pleased to make to them, and have appoin-

ted Messrs. Harrison and Blake that committee—and that the House of Representatives be informed thereof—

And he withdrew.

The Senate came in and took their seats, on the right of the Speaker, in the Representatives chamber.

Whereupon, His Excellency the Governor came in, conducted by the Joint committee appointed for that purpose, and delivered the following Communication to both Houses assembled in the Representatives Chamber, to wit :

*To the Senate and
House of Representatives.*

To afford with certainty the time which may be requisite, to enable the General Assembly to make the necessary arrangements to meet the demands against the state, arising on the loans from the Vincennes Bank, induced the request for your meeting at an earlier period than usual. Twenty thousand dollars of the public debt becomes due within a limited period, together with interest on the whole debt for the present year. It is believed, that an amount competent to meet this demand, will be realized at the Treasury in the notes of the state Bank and branches ; and it will be for the representatives of the people to determine, whether the present demand upon the public faith of the state, cannot be discharged in equity and good conscience, with the notes of the bank and its branches in whose favor the obligations were executed. It will be oppressive, if the state, after the paper of this institution was authorised to be collected in revenue, should be prevented by any assignment of the evidences of the existing debt, from discharging at least so much of that debt with the paper of the bank, as will absorb the collections of the present year ; especially, when their notes after being made receivable by the agents of the state, became greatly depreciated by great mismanagement on the part of the bank itself. It ought not to be expected that a public loss to the state should be avoided, by resorting to any measures which would not comport with correct views of public justice ; nor should it be anticipated that the

treasury of the United States, would ultimately adopt measures to secure an uncertain debt, which would interfere with arrangements calculated to adjust the demand against the state, without producing any additional embarrassment. If an assignment has been made of the bonds executed in behalf of the state, and those bonds had become due, it would have presented a very different view of the subject. The description of funds, in which the revenue of the present year, as well as arrearages of past years, was chiefly collected and collecting when the assignment is said to have been made, was well known to those who may have authorised the measure; and it is presumed that the treasury department or its agent would have become acquainted with the laws of the state on this subject, before such assignment would have been negotiated. At the time when the assignments are said to have been executed, the public agents of the state must have collected much the greater portion of the annual revenue as well as outstanding debts, in the paper of the bank; and the revenue laws are such as to require at least for state purposes, a continuation of the public collections in like funds, until different provisions shall be enacted by the legislature. A tender of those notes in a legal manner, to the bank at which payment has been promised, is respectfully recommended.

In conformity to a joint resolution adopted by the last General Assembly, an examination has been made into the situation of the state bank and branches, the details of which will attend a subsequent communication.

It is believed, that the credit of the bank paper of this state might have been sustained, so far at least, as to have secured the holders from serious loss by depreciation, had the bank been prudently managed, and the notes gradually withdrawn from circulation; as it will be acknowledged, that the greater the credit that would have given to it, had different measures been pursued by those to whom its chief management has been entrusted; so much the less would have been the public and private injury that has been experienced. Whatever disposition the principal bank may have

made of the funds deposited by the United States, it must be admitted, that the connexion of interest between the Steam Mill Company and the bank, and the extraordinary accommodations, on account of the manner in which they were obtained, as well as their amount, effected by arrangements of the Steam Mill Agency and some of the officers of the bank, have been among the principal causes which have prostrated the paper circulating medium of this state, so far as it was dependent on the state bank and branches. And from the direction which for a time past has been given to the funds as well as to the credit of the state bank, it would seem as if it had been an object, to produce a depreciation of her own credit as well as that of her branches; producing thereby among other mischievous consequences, the means of direct gain to a certain portion of the community, equal to the loss which the innocent and disinterested holder of the paper inevitably sustains.

The causes which have produced the pecuniary distress with which we are embarrassed, remain almost unchanged, except the relief afforded by the act of Congress to the purchasers of public lands. All relief measures within the controul of the state authority, should be considered as temporary, and be discontinued so soon as the causes which produced them shall have been so far removed as to justify a recurrence to former regulations in relation to contracts. A period should be prescribed by law, and all contracts of a subsequent date be subjected to such legal provisions as have heretofore been usual. The want of a discrimination of this character in relation to past and future contracts, presents inducements to add to pre-existing debts, while a return to former habits of industry and economy is thereby retarded. To encourage by precept and example, the use of articles of domestic manufacture, and the introduction into families of manufacturing machinery, will prove efficient auxiliaries in removing our pecuniary difficulties, and have a tendency to secure our future independence from those sudden and extraordinary changes produced by the fluctuations of commerce, so injurious in their effects upon the moral and political happiness of nations and individuals. Different measures

have been resorted to by the legislatures of different states, with a view to relieve the embarrassment of the people. Individually acquainted as the representatives are, with the operation of the system of relief adopted in this state, as also with the particular interests and situations of their constituents, they will be fully competent in the discharge of their important duties, to adjust those interests, by the adoption, of measures that may contribute to the lasting advantage of our fellow citizens. The propriety, however, of authorising creditors, under proper provisions, to require additional security on replevin bonds, is submitted to your consideration, inasmuch as the ostensible property of individuals may be subject to prior liens. It cannot be intended that a judgment creditor is to be subjected to greater uncertainty in the ultimate collection of a legal demand, by affording to the debtor the mild means of satisfying his creditor without sustaining a greater sacrifice than may be rendered ultimately unavoidable. Governments like individuals are imitative, and often follow without sufficient inquiry the measures which others have adopted. Many of the western states particularly, have experienced essential injury from extravagant emissions of bank paper; and notwithstanding its great depreciation, necessity or usage seems to have been sufficiently powerful to induce as a measure of relief, new emissions to supply a want of metallic medium; although the notes upon being introduced into commercial transactions have been subjected to great discounts upon their nominal value, and liable to much uncertainty in the rates of their exchange. In the general loss which has attended paper credit, the people of this state have suffered sufficiently to induce an avoidance of further experiments in banking, however specious the plan of its details, especially if they cannot be based upon specie capital.

The treasury notes authorised to be executed by an act of the last General Assembly, have been emitted from the treasury as the demands upon the state required; and of the means within the controul of the Legislature, to meet the expenditures of the ensuing year, a similar measure, limited by a certain amount, is deemed the most eligible. Such pol-

icy however will necessarily require for the future, that the revenue be collected in specie, its equivalent, or in treasury notes. Ten thousand dollars, of the denomination of one dollar each, with a re-issue of those executed; redeemable in specie or its equivalent at the expiration of one year from the date of such issue, will be adequate to meet the demands upon the treasury.

The revenue, annually to be realized, should at least equal the annual expenditures of the government, as also the interest of any portion of the public debt which may remain unliquidated: and the additional quantity of land, which must annually hereafter become subject to taxation after the first day of December next, should be regarded, as a certain means of extinguishing the public debt.

The views of the General Assembly, in selecting individuals to draft a system, by which the resources appropriated to the purposes of education should hereafter be employed, may not for the present be entirely realized. The welfare of the state must greatly depend on the relative perfection, which shall characterize the plan, by which our future exertions are to be directed in promoting education, "ascending in regular gradation from township schools to a State University." Much labour and attention will be indispensable, to the accomplishment of an object so highly important and desirable; and every error, which shall influence or attempts on this subject, may be productive of evils not easily be surmounted.

The construction and connexion of many of the statute laws have become so obscure, that a revision is considered important. We want of reasonable certainty of what is the law, in the discharge of relative duties whether of a public or private character, could be regarded as a public injury; while every generous effort would be exerted to render explicit, the municipal regulations which our relative rights and wrongs are to be determined.

The increasing strength of the militia requires the publication of an additional number of copies of the act, regulating the militia required of this portion of our national defence. Resignations of militia officers have become so frequent, that no inconsiderable though unfavourable effects are produced upon the progress

ive improvement in military discipline, and require, that some additional restraint be imposed in relation to such resignations, upon those who shall accept commissions. That some adequate means should be provided to secure the proper care and safe keeping of the public arms, which have been, or may hereafter be furnished, is obvious; and the squandering of those arms, which have heretofore been exhibited, should for the future be prevented. The duties which devolve upon the Adjutant General are increasing and have been much increased, and the propriety of an additional allowance to that which is at present afforded, is presented for your consideration.

Further legislative provisions will be necessary, to carry into operation, the humane purposes of the Legislature connected with the establishment of the penitentiary; and the situation of those who have been engaged in erecting the building, are entitled to legislative attention.

The reclamation of John Dahmen, a fugitive from the justice of this State, who fled to the confines of Upper Canada, necessarily produced an unexpected claim upon the contingent fund. With those who were engaged in his recaption, the stipulation on my part was to defray their necessary expenses, and present their services to the consideration of the General Assembly for compensation. Those services, on account of several considerations, were certainly meritorious and attended with considerable fatigue and exposure.

The request which has convened you for the discharge of your public duties, was not determined on, without reflecting on the personal inconvenience which might be experienced by some of the members of the General Assembly. The period of the meeting, however, will not add to the public expenditures; the time afforded thereby may be found necessary, to prevent serious public loss, and to avoid a corresponding responsibility which would otherwise be its attendant.

The peculiar and interesting situation of the State, require much precaution and patriotic exertion, on the part of those particularly, to whom its legislative functions have been confided, to resuscitate its financial concerns, and provide for the present and future demands, in such manner as the public faith and state imperiously requires. Local jealousies and partialities

be avoided, and the public concerns, regulated and directed, by the first principles upon which our political fabric has been erected: uniting our common exertions, to effect the great objects for which delegated authorities have been constituted.

With the confidence which has been reposed by our fellow citizens, in the beneficial results to be realized from your deliberations, allow me to unite, imploring the assistance of that Power, without whose co-operation every other will be unavailing.

JONATHAN JENNINGS.

Corydon, November 20th, 1821.

The Senate retired to their chamber.

On motion by Mr. Dunbar—

Resolved, That 800 copies of the Governor's message be printed for the use of the House of Representatives, and that a committee be appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, to contract for printing the necessary number for both houses, and that the senate be informed thereof, and a similar committee appointed on their part, and messrs. Dunbar, Lane and Dewey were appointed the committee on the part of this House.

On motion by Mr. Thompson—

Resolved, That the Governor's message be committed to a committee of the whole House, and made the order of the day for Thursday next.

A message from the Senate by Mr. Graham.

Mr. Speaker,

The Senate has passed the following resolution:

Resolved, That the House of Representatives be informed, that the Senate is about to adopt preliminary measures for the trial of Curtis Gilbert, Esq. on impeachment, and that the Senate is desirous of knowing, if the house of Representatives have made the proper selection to manage the said prosecution, and are now ready to prosecute the same.

On motion by Mr. Merrill—

Resolved, That five managers be appointed by the Speaker, to prosecute the impeachment of Curtis Gilbert, clerk of Vigo county—And

Thereupon,

Messrs. Merrill, Dunbar, Battell, Lane and Thompson were appointed managers of said impeachment.

Ordered, That the Senate be informed thereof.

On motion by Mr. Kimberly—

Resolved, That the Judiciary committee be instructed to enquire into the expediency of a law, regulating the pay of Jurors, and also as to the propriety of repealing so much of the statutory provisions, as relates to their selection, with leave to report by bill or otherwise.

On motion by Mr. Thompson—

Resolved, That the Judiciary committee be instructed, to enquire into the expediency of changing the mode of swear-

ing petit jurors, and authorising the foremen of Grand Juries to swear witnesses to give evidence before them.

And the House adjourned till two o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Johnston of Knox,

The house resolved itself into a committee of the whole, on the bill to repeal the joint resolution, concerning the treasurer of state, approved December 13th, 1820—Mr. Prince in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prince reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House, which amendments he handed in at the clerk's table, where they were again read and concurred in, except the amendments made in committee of the whole, by adding the following words: "so far as it respects his keeping a detailed account of the number and date of each note," in which amendment the house refused to concur.

On motion,

The said bill was ordered to be engrossed for a third reading to-day.

A message from the senate by Mr. Blake.

Mr. Speaker,

The Senate have passed a joint resolution on the subject of education, in which they desire the

concurrence of this House—and then he withdrew—and the said resolution was taken up and read the first time—And

On motion of Mr. Ferris—

The rule was dispensed with, and it was read the second time, and committed to a committee of the whole house, and made the order of the day for to-morrow.

A message from the Senate by Mr. Graham.

Mr. Speaker,

The Senate have concurred in the resolution of the House of Representatives, on the subject of printing the Governor's message, and have appointed messrs. Graham, Slaughter and Clark, a committee on their part—

And he withdrew.

The House proceeded to consider the orders of the day.

The bill to authorise the auditor of public accounts, to audit certain claims, was read the second time, and committed to a committee of the whole House, and made the order of the day for this day:—Whereupon,

On motion,

The House resolved itself into a committee of the whole, on said bill, Mr. Tipton in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tipton reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the house—which amendments he handed in at the clerk's table, where they were again read and concurred in by the house.

Ordered, That said bill be engrossed for a third reading on to-morrow.

The engrossed bill repealing a joint resolution, concerning the treasurer of state, approved, December 13th, 1820, was read the third time and passed.

Ordered, That said bill be entitled **An Act.**

Ordered, That the same be carried to the Senate, and their concurrence therein requested.

And then the House adjourned till to-morrow morning, nine o'clock.

Wednesday Morning, November 21st, 1821.

House met pursuant to adjournment.

James B. Ray, a member from the county of Franklin, appeared, produced his credentials was sworn, and took his seat as a member of this house.

A message in writing was received from his Excellency, the Governor, which was delivered by H. H. Moore, Esq. his private secretary, was read, and is as follows:

November 21st, 1821.

The HONORABLE,
The speaker of the House of Representatives,

SIR,

Enclosed, I present to the House of Representatives, copies of three bonds, executed on negotiating the first loan of twenty thousand dollars.

D

The after loans authorised were negotiated on like obligations.

I have the honour to be,

Respectfully, &c.

JONATHAN JENNINGS.

Which, on motion of Mr. Johnston, of Knox, was referred to a committee of the whole house, and made the order of the day for to-morrow.

The Speaker laid before the house the annual report of the treasurer of state, which was read, and is as follows:

The Treasurer in obedience to the act of the general assembly entitled "an act concerning the Auditor of public accounts, and Treasurer of State," Submits the following report:

That there was remaining in the hands of the treasurer, on the 27th day of November, 1826, the sum of \$146 96 1-2

That from the 27th day of November, 1820 to the 17th day of November, 1821, there has been received on loan, the sum of 1,800 00

Within the periods above mentioned, there has been paid into the treasury by sundry sheriffs and other collectors of the revenue, due the state, for the year 1820, and also for arrearages due for prior years, the sum of 11,144 59

From the sheriffs of Jefferson, Jennings and Pike, for the year 1821, the sum of 677 00

There has been received from the superintendants of salt lick reserved sections, the sum of 256 00

From the late sheriff of Harrison county, on execution against sundry citizens of Harrison county, the sum of 91 00

From the sale of depreciated bank paper, the sum of 26 56

In addition to which there has been received from his Excellency Jonathan Jennings, treasury notes to the amount of 10,000 00

Making a sum total of 24,142 11 1-2

Within the periods above mentioned, there has been paid at the treasury, in discharge of the contingent expenses of government, \$501 86

In the payment of the officers of the executive 2,800 00

In payment of the members of the General Assembly, and incidental expenses, attendant thereon, embracing also the postage on letters, the allowance to agents of saltlick reserves for the enumeration of the white male inhabitants of this state, and compensation to the commissioners who ran the state line, the sum of 9,180 45

In payment of the officers of the Judiciary, the sum of 5,501 72

In payment for wolves destroyed, the sum of 90 00

In payment of the interest on the loan, 1,800 00

In the payment of the militia claims, the sum of 262 29

In the depreciation of bank paper, the sum of 99 00

Making the sum total of \$19,715 32

Leaving a balance in the hands of the treasurer, on this day, of \$4,426 79

All of which is respectfully submitted.

D. C. LANE, Treasurer.

On motion,

The said report was referred to the committee of ways and means.

Mr. Dewey, from the joint committee appointed to contract for the printing of 800 copies of the Governor's message, reported, that the said committee had discharged that duty, and had agreed with Matthew Patrick, the public printer, for the delivery on Wednesday next, of 800 copies, on the same terms on which he contracted to do the other printing.

On motion,

The house concurred in said report.

The Speaker laid before the House, a communication from the Secretary of state, which was read, and is as follows:

SECRETARY'S OFFICE, Nov. 20th, 1821.

To the Honorable,

The Speaker of the House of Representatives,

SIR—In conformity to the 7th section of the act, appointing commissioners to lay off a town on the site selected for the permanent seat of government, I have the honor to transmit to your honorable body, the report of said commissioners.

Very respectfully,

Your obedient serv't.

R. A. NEW.

Whereupon, on motion, the said communication and the report of said Commissioners, together with the bill to authorise the auditor of public accounts to audit certain claims were referred to a select committee of Messrs. Merrill, Lane, and Johnston of Knox, with leave to report thereon by bill or otherwise.

On motion by Mr. Johnston of Knox.

Resolved That the committee of ways and means be and they are hereby directed to enquire and report by bill or otherwise: Whether it is or is not advisable to authorise by law the sheriff or some other fit person in the several counties to purchase in the name of the State, Lands sold for state taxes, redeemable however as in other cases.

Mr. Reed submitted the following Resolution.

Resolved, That a select committee be appointed to enquire into the expediency of offering a reward for Wolf scalps, with leave to report by bill or otherwise, and on the question will the House adopt said resolution it was decided in the negative.

Mr. Thompson having obtained leave presented the petition of Walter Wheatley, and others praying a change in the state road, from Bethlehem to Brownstown, which was read and referred to a select committee of Messrs. Thompson, Clark and Arion, with leave to report by bill or otherwise.

On motion by Mr. Wright—

Resolved, That a select committee be appointed to enquire if any or what amendment is necessary to the act regulating fees approved, January 20th, 1818, with leave to report by bill or otherwise.

And thereupon Messrs. Wright, Kimberly, Reed, Milroy and Miller, were appointed said committee.

On motion by Mr. Tipton,

Resolved, That the committee be instructed to enquire into the propriety and expediency of forming one or more additional Judicial circuits in this state, and that they report by bill or otherwise.

The Speaker laid before the house the annual Report of the Auditor of public accounts, and his communication, transmitting the same, which were both read and are as follows:

AUDITOR'S OFFICE,

CORYDON, Nov. 21, 1821.

To the Honorable,

The Speaker of the House of Representatives,

SIR—

In obedience to an act of the General Assembly entitled, "An act concerning the Auditor of Public Accounts, and the Treasury of State," I herewith transmit you my annual Report.

I have the honor to be,
Very respectfully,
Yours, &c.

W. H. LILLY.

Aud. of Pub. Accts.

The Auditor, in obedience to an act of the General Assembly entitled, "An act concerning the Auditor and Treasurer of state," submits the following report: viz.

There has been received from sundry sheriffs, from the 27th of November, 1820, to the 17th of November, 1821 inclusive, on account of revenue arising from the year 1820, and for balances that were due for the years 1818 and 1819, the sum of - - - - - \$11,144 59

From sundry collectors of revenue, for the year 1821, the sum of - - - - -	677 00
From Adlain Campbell, superintendant of French Lick section, the sum of - - - - -	200 00
From Alexander Little, superintendant of Rices' Lick section, the sum of - - - - -	13 00
From Elisha Denny, superintendant of Rock Lick section, the sum of - - - - -	38 00
From the State Bank on loan, the sum of - - - - -	1,300 00
From the sale of depreciated Ohio bank paper, the sum of - - - - -	26 56
From John Tipton, late sheriff of Harrison county, in part of a judgment against sundry citizens of said county, the sum of - - - - -	91 00

In addition to the above sums, there has been deposited by his Excellency the Governor in the treasury, and the Treasurer's receipt for the same filed in this office. treasury notes for the sum of - - - - - 10,000 00

Sum total \$13,995 15

There was a deficiency of monies to meet the claims audited to the 27th of November, 1820, as per a former report, of - - - - - \$711 46 1-4

Since that period, there has been audited in liquidation of militia expenses, the sum of - - - - - 256 62

In liquidation of the accounts of the Judiciary, the sum of - - - - - 4,976 22

In liquidation of the accounts of the Executive Department, the sum of - - - - - 2,309 00

In liquidation of the claims for wolf scalps, the sum of - - - - - 100 00

In liquidation of the contingent expenses of government, the sum of - - - - - 501 86

In liquidation of the accounts of the last General Assembly, and incidental expence attendant thereon, including allowances to county Censors, also to commissioners ap-

pointed to locate a site for the permanent seat of government, and the expenses for running the line between this state and Illinois, the sum of

In liquidation of interest arising on public loans from the state bank,	9,248 76
In liquidation of Robert Gray's account, contractor for building the state prison,	1,740 00
Amount of depreciated bank paper disposed of pursuant to a joint resolution of the last General Assembly,	3,000 00
	99 00

Sum total of \$22,833 86 1-4

Leaving in the hands of the treasurer on the 17th of November, 1821, provided, all the claims audited to that date have been paid, the sum of

From the return of duplicates filed in this office the taxes for the year 1821, exclusive of the collector's commission, amounts to the sum of	\$1,161 28 3-4
And from the counties of Knox, Davies, Martin, Sullivan, Green, Scott, Lawrence, Pike, Randolph, Wayne and Bartholomew, no duplicates have been received; but the revenue derived from thence may be estimated at	15,325 92

Sum total \$19,825 92

The same deficiency exists in the Auditor's department, as was mentioned in the report of last year, and considerable inconvenience will result to collectors of the revenue, in paying the same into the treasury, where there has been no certificate forwarded by the clerks; the law annexes no penalty to such failures of the clerks, hence they are more frequent.

There will be due on the 1st of January next, one thousand eight hundred and forty-eight dollars, for interest on loans, in addition to which there will become due on the public debt, ten thousand dollars on the 30th of December next, four thousand on the 3d day of January next, and six thousand on the 16th day of May next.

A receipt from the treasurer of state is on file in this office for the sum of ten dollars in treasury notes received for revenue on the 17th day of May 1821.

Respectfully submitted.

WM. H. LILLY,
Aud. Pub. Accts.

On motion,

The said communication and report was referred to the committee of ways and means.

Mr. Johnston of Knox, submitted the following resolution.

Resolved, That the committee on the Judiciary be and they are hereby instructed to enquire and report by bill or otherwise.

1st, Whether justices of the peace and clerks of Circuit courts should not possess a discretionary power to exact security for costs from suspicious persons not freeholders in the proper counties.

2d, Whether justices of the peace should not have authority to issue, and have collected the costs in suits before them as they become due from the party causing such costs.

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3d, Whether the freehold upon which a mechanic may be employed by the owner to build a house or houses, should not be liable for the payment of the labour and materials.

4th, Whether the act respecting counterfeiting should not be so far amended as to authorise any other than the cashier of a bank to give evidence as to the genuineness of supposed spurious bank notes, and whether the accessories, aiders and abettors, either in making or passing counterfeit notes should not be punished as principals.

5th, Whether provisions should not be made to prevent and punish adultery, and fornication.

And on the question will the house adopt said resolution, it was decided in the negative.

On motion by Mr. Dewey,

Resolved, That a committee be appointed to enquire into the expediency of altering the laws respecting public roads and highways, and if any what changes are necessary, with leave to report by bill or otherwise and thereupon Messrs. Dewey, Murdock, Johnston of Knox, Johnston of Gibson, Green, Reed and Vandever, were appointed said committee.

On motion by Mr. Ferris,

Ordered, that the certificate of election and credentials of the members elect of this House be referred to the committee of elections.

Mr. Maxwell having obtained leave presented the petition of Jeremiah Lockwood praying certain relief, which was read and referred to a select committee of Messrs. Maxwell, Beckes, and Lindsey, with leave to report by bill or otherwise.

On motion by Mr. Maxwell, the committee, heretofore appointed to examine the report of the commissioners appointed to lay off a town on the site selected for the permanent seat of government of Indiana, were discharged from that duty.

On motion by Mr. Ray,

Resolved, That a committee be appointed to enquire into the expediency of introducing the writ of replevin in certain cases with leave to report thereon by bill or otherwise, and thereupon, Messrs. Ray, Battell, Donoghie, Brayman and Bently, were appointed that Committee.

A message from the Senate by Mr. Blake.

Mr. Speaker,

The Senate have passed the following Resolution.

Resolved, That the house of representatives be informed that their application for process and subpoenas in the case of Curtis Gilbert, Esqr. has been acceded too, and that the first Thursday in December next is the day appointed for the commencement of his trial.

And the house adjourned until 2 o'clock P. M.

House met pursuant to adjournment.

M. Merrill from the Committee to whom was referred the report of the commissioners appointed to lay out a town

on the site located for the permanent seat of government of Indiana, and the bill to authorize the Auditor of public accounts, to audit certain claims, reported, that the said committee had according to order, had the same under consideration and directed him to report a substitute for said bill, which substitute he handed in at the clerk's table, where it was read--And

On motion,

The House concurred in the report of said committee, and the said bill was ordered to be engrossed for a third reading on to-day.

On motion by Mr. Murdock--

Resolved, That a committee be appointed, to enquire into the expediency of appropriating the three per cent. fund, and that they have leave to report by bill or otherwise--And--

Thereupon,

Messrs. Murdock, Maxwell, Bentley, Canby and Benfield, were appointed said committee.

On motion by Mr. Brayman--

Resolved, That the committee on the judiciary be instructed to enquire into the law, regulating and defining the duties of constables, and if any amendments are necessary--to report by bill or otherwise.

The House proceeded to consider the orders of the day.

The House, according to order, resolved itself into a committee of the whole; on the engrossed

joint resolution from the Senate, on the subject of education, Mr. Lane in the chair--and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lane reported that the committee of the whole had, according to order, had the said resolution under consideration, and had made some amendments to the same in which he asked the concurrence of the house, which amendments he handed in at the clerk's table where they were again read and concurred in by the house.

Ordered that said resolution be read a third time tomorrow.

A message, in writing, was received from the Governor by H. H. Moore, Esq. his private secretary, which was read and is as follows:

To the Senate and House of Representatives.

The details herewith submitted to the General Assembly in relation to the State Bank and branches, are not to be considered as minutely correct. They are substantially correct as it regards the branches. But the state of the Books of the Vincennes bank was not such as to afford accurate information on all the subjects required, in as much as many of the running accounts were not balanced. It is remarkable that the Brookville Branch, by negotiation, added to the amount of its paper in circulation during the month of March last, notwithstanding the assurances given in behalf of that institution on the 9th of November, 1821.

Which communication, together with the accompanying documents, were referred to a select com-

mittee of Messrs. Merrill, Johnston, of Knox, Murdock, Reed and Benefield.

The engrossed bill, legalizing the acts and proceedings of the commissioners appointed by the last General Assembly to lay out a town on the site selected for the permanent seat of government of Indiana, was read the third time and passed.

Ordered that said bill be entitled an act.

Ordered that the Senate be informed thereof, and their concurrence requested.

On motion by Mr. Johnston, of Knox—

RESOLVED, That the public printer be, and he is hereby, directed to print, as soon as practicable, three hundred copies of the reports of the Auditor and Treasurer of State, for the use of the members of the Senate and house of Representatives; that the Senate be informed thereof and their concurrence desired thereto.

On motion by Mr. Thompson—

RESOLVED, That a committee of three members be appointed by the house of Representatives, to act with a similar committee on the part of the Senate, to enquire into the expediency of memorializing Congress on the subject of repealing so much of the fifth section of the act to enable the people of the Territory of Indiana to form a constitution and State government—and for the admission of said State into the Union on an equal

footing with the original States, passed, April 16th, 1816—as requires an irrevocable ordinance of this State to prohibit the taxation of all lands sold by the United States, from and after the 1st day of December, 1816, after the sale thereof for five years, with leave to report by memorial or otherwise—and that the Senate be informed thereof, and their concurrence requested thereto; thereupon, Messrs. Thompson, Dewey and Canby, were appointed that committee on the part of this House.

On motion by Mr. Canby, Mr Arion is added to the committee of ways and means—and the house adjourned until to-morrow morning, 10 o'clock.

THURSDAY MORNING, November 22, 1821.

The House met pursuant to adjournment.

The Speaker laid before the House, a communication from the Secretary of State, which was read, and is as follows:

SECRETARY'S OFFICE, Nov. 21st, 1821.

*To the Honorable the Speaker of the House of Representatives
of the state of Indiana.*

SIR—

In conformity to an existing law of the state, I have the honor to submit the following report:

That your committee have contracted with Matthew Patriek, for the printing of the laws and journals of the present session of the General Assembly, on the following conditions:

Composition a 40 cts. pr. 1000 m's.

Press work a 40 cts. pr. token.

Folding and stitching a 5 cts. per copy.

Paper, \$2,000 pr. ream.

Forty pages shall be printed pr. week until completed.

Copies received and work delivered at Corydon.

Ky. paper, treasury notes or their present equivalent, received in payment.

The work shall be done on good paper, and with good type and good ink, and executed in a workmanlike manner.

That they have contracted with John Aydelot, to furnish the General Assembly with stationary, at the following rates:

Letter or quarto post, 35 50 pr. ream.

Writing or cap paper, No 1. 5 50 pr. ditto.

Ditto ditto No. 2. 4 75 pr. ditto.

Ditto ditto No. 3. 4 25 pr. ditto.

And other articles of stationary at a fair price.

And with Ephraim and William Gwartney, they have contracted for fuel a 56 1-4 cents per day.

All of which is respectfully submitted.

R. A. NEW, Sec'y.

A message from the Senate by Mr. Blake.

Mr. Speaker,

The Senate have appointed Francis N. Moore, Sergeant at Arms, and he has taken the oath to discharge the duties of that office.

The Speaker laid before the House, a communication in writing from R. A. New, Secretary of state, which was read, and is as follows:

SECRETARY'S OFFICE,

CORYDON, Nov. 21st, 1822.

The Honorable

the Speaker of the House of Representatives,

SIR—

Pursuant to the provisions contained in the 5th section of an act, providing for running and marking the line, dividing the states of Indiana and Illinois—I have the honor to transmit the report of the surveyor appointed for that purpose.

Accept the assurances of my respect.

R. A. NEW.

Which, on motion of Mr. Kimberly, together with the report alluded to, was referred to a select committee of Messrs. Kimberly, Johnston of Knox and Ferris.

Mr. Thompson from the committee of elections, made the following report :

Mr. Speaker,

Your committee of elections, to whom was referred the certificates of election, have had the same under consideration, and are now ready to report in part.

They find the following gentlemen are duly elected, and entitled to their seats as members of this house, to wit :

From the county of Franklin.

George L. Murdock and James B. Ray.

From the county of Dearborn.

Ezra Ferris, Amos Lane and Erasmus Powell.

From the county of Jefferson,
Copland J. P. Arion and Israel T. Canby.

From the county of Clark,
John Muller and John H. Thompson.

From the county of Floyd,
Moses Kirkpatrick.

From the county of Harrison,
John Tipton and John N. Dunbar.

From the county of Washington,
Samuel Milroy and Noah Wright.

From the county of Knox,
General W. Johnston and Benjamin V. Becker.

From the county of Orange,
Charles Dewey and Alexander Wallace.

From the county of Jackson,
James Braman.

From the county of Ripley,
Joseph Benney.

From the county of Switzerland,
Samuel Merrill and William B. Chamberlin.

From the county of Jennings,
Zenas Kimberly.

From the county of Scott,
William D. Clark.

From the county of Gibson,
William Prince.

From the county of Monroe,
David H. Maxwell.

From the county of Lawrence,
John Milroy.

From the county of Crawford,
Henry Green.

From the county of Posey,
Charles I. Battell.

From the county of Bartholomew,
John Lindsey.

From the county of Pike,
John Johnston.

From the county of Sullivan,
John Benefield.

From the counties of Davis and Martin,
James G. Reed.

From the county of Vanderburgh and part of Warrick,
Hugh M. Donaghe.

From the counties of Vigo and Park,
Joseph Shelby.

*From the counties of Perry, Spencer, Dubois, and Luce town-
ship in Warrick county,*
Thomas Vandever.

On motion,

The House concurred in said report.

Mr. Green, having obtained leave, presented the petition of James Glenn and others, praying that commissioners may be appointed, to locate a site for the permanent seat of justice of Crawford county, which was read—and

On motion of Mr. Green,

Referred to a select committee of Messrs. Green, Tipton, Dewey, Wallace and Kirkpatrick, with leave to report by bill or otherwise.

Mr. Ferris, from the committee appointed to enquire into the expediency of authorising the qualified electors of the several townships in this state, to elect township officers, reported a bill for that purpose, which was read the first time, and ordered to be read a second time on to-morrow.

On motion of Mr. Johnston of Knox—

Resolved, That a committee of two members be appointed, to request of the auditor of public accounts, a detailed statement of the items, constituting the charge contained in his general account, as reported to this House on yesterday, respecting the sums audited to the commissioners for running the state line; taking in the census, the commissioners for locating the site for the seat of government, and postage, and generally, such detailed information upon such other parts of his report, as may tend to elucidate it, and that the said committee report thereon to this House—And

Thereupon,

Messrs. Johnston, of Knox, and Canby, were appointed said committee.

On motion by Mr. Bentley—

Mr. Ray is added to the committee on military affairs.

On motion by Mr. Ferris—

Resolved, That when a motion before the House, shall be negatived, it shall not be entered on the journal, unless the Ayes and Noes are called for, or at the special request of the mover.

Mr. Merrill having obtained leave, introduced a bill for the relief of creditors of corporations, which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Powell—

Resolved. That a committee be appointed, to enquire, if any, and what amendments are necessary, to the act, for the relief of the poor, with leave to report by bill or otherwise: And

Thereupon,

Messrs. Powell, Canby, Wright, Shelby, Vandever and Maxwell, were appointed said committee.

On motion by Mr. Reed—

Resolved. That a committee be appointed, to enquire into the expediency of amending the law concerning the incorporation of towns, with leave to report by bill or otherwise: And

Thereupon,

Messrs. Reed, Donaghe and Lane, were appointed said committee.

On motion of Mr. Maxwell—

The House according to order, resolved itself into a committee of the whole, on the Governor's message, Mr. Battell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Battell reported, that the committee of the whole, had according to order, had the said message under consideration, and came to several resolutions thereon, in which resolutions, he asked the concurrence of the House, which resolutions he handed in at the clerk's table, where they were read, and are as follows:

1st. *Resolved*, That so much of the Governor's message, as relates to the public debt, be referred to the committee of ways and means.

2d. *Resolved*, That so much of the Governor's message, as relates to relief measures, be referred to the Judiciary committee.

3d. *Resolved*, That so much of the Governor's message, as relates to domestic manufactures, be referred to a select committee.

4th. *Resolved*, That so much of the Governor's message, as relates to the re-issuing of treasury notes, be referred to a select committee.

5th. *Resolved*, That so much of the Governor's message, as relates to the revenue and the liquidation of the public debt, be referred to the committee of ways and means.

6th. *Resolved*, That so much of the Governor's message, as relates to education be referred to the committee on education.

7th. *Resolved*, That so much of the Governor's message, as recommends a revision of the statute laws, be referred to the Judiciary committee.

8th. *Resolved*, That so much of the Governor's message, as relates to the militia law, be referred to the military committee.

9th. *Resolved*, That so much of the Governor's message, as relates to the Penitentiary, be referred to a select committee.

10th. *Resolved*, That so much of the Governor's message, as relates to the expenses occasioned by the recaption of John Dahmon, be referred to a select committee.

On motion,

The House concurred in the said several resolutions.

Whereupon,

The Speaker appointed Messrs. Maxwell, Dewey, Prince, Powell, Ray, Milroy and Donaghe, a select committee, on the 4th resolution—and Messrs. Miller, Merrill, Canby, Wright and Battell, a committee on the 9th resolution—and Messrs. Tipton, Kirkpatrick, Shelby, Green and Lindsey, on the 10th resolution of the Governor's message.

On motion,

Messrs. Lane and Johnston of Pike, were added to the committee to whom was referred, the subject of the three per cent. fund.

Mr. Chamberlin, having obtained leave, presented the petition of John Campbell, praying a divorce from Mary Gardner, which was read and referred to a select committee of Messrs. Chamberlin, Powell and Merrill, with leave to report by bill or otherwise.

Mr. Tipton, having obtained leave, introduced a bill, to continue in force, an act locating certain roads therein named, which was read, and ordered to be read a second time to-morrow:—And

The house adjourned till two o'clock, P. M.

House met pursuant to adjournment.

Mr. Johnston of Knox, from the select committee, to whom was referred, the petition of Peggy Harnis, reported a bill, divorcing her from her husband, which was read, and ordered to a second reading on to-morrow.

Mr. Johnston, of Pike, submitted the following resolution:

Resolved, That the committee to whom was referred, the subject of the three per cent. fund, be instructed to report a bill, distributing the three per cent. fund in the several counties in this state, according to territory, and that no county be considered to contain more than 400 square miles, and report accordingly, which was read and ordered to lie on the table.

A message from the Senate by Mr. Clark.

Mr. Speaker,

The Senate have adopted the following resolution :

Resolved, That the several committees appointed on the Governor's message, on the part of both Houses of the General Assembly, be requested to meet in the representatives' chamber this evening at six o'clock, in order to confer together, and so to divide the several subjects, as to prevent both Houses from acting on the same subject at the same time, and that a similar resolution be requested on the part of the House of Representatives.

Ordered, That the House of Representatives be informed thereof.

And he withdrew.

On motion of Mr. Ferris—

Resolved, That the House of Representatives concur in the resolution from the Senate, for a joint meeting of the several committees appointed on the several subjects referred to in the Governor's message, and that the committee appointed on the part of this House be instructed, to confer with those appointed by the Senate, and that the senate be informed thereof.

Mr. Tipton, having obtained leave, introduced a joint resolution for the benefit of Matthew Patrick, which was read, and the rule being dispensed with, it was read a second time, and ordered to be engrossed for a third reading to-day.

Mr. Johnston from the committee of revisal, and unfinished business of last year, made the following report :

The committee of revisal, and unfinished business of the House of Representatives at the last session, beg leave to report :

That they have examined the bills on file in our clerk's office, and find the following enacted upon, to wit :

A bill relative to the incorporation of companies for manufacturing purposes, ordered for committee of the whole, in December, 1829, and then postponed until the first Monday in December, 1821.

A bill to amend the act relative to foreign and domestic attachment, and ordered for a second reading at the last session, and then postponed to the 1st Monday in December, 1821.

A bill to amend the act, regulating the settling of testates and intestate estates, and for the relief of widows, referred to a committee of the whole, and postponed until the 1st Monday in December, 1821.

A joint resolution, to encourage manufacturing domestic cloth, postponed until the 1st Monday in December, 1821.

A bill to establish the 5th Judicial circuit in the state of Indiana, stricken out from the enacting clause, and then postponed until the 1st Monday in December, 1821.

Your committee will defer, at this time, offering any advice or remarks, as to the course, which should be pursued, upon the above bills, presuming however, that the House will either postpone them indefinitely, or refer them severally to select committees, all which, &c. which report was read and ordered to lie on the table.

A message from the Senate by Mr. Slaughter.

Mr. Speaker,

The Senate have passed the engrossed bill from this House entitled, An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town at the site selected as the permanent seat of government, to legalize the report and allowances made and required by Christopher Harrison, one of said commissioners without amendment.

A message, in writing, was received from the Governor, by H. H. Moore, Esq. his private Secretary, which was read, and is as follows:

CORYDON, November 23, 1821.

The Honorable

the Senate and House of Representatives.

Herewith is presented for the information of the General Assembly, copies of a letter from the commissioner of the General Land office, in reply to one addressed to him, on the subject of the three per cent. fund, accruing to this state.

Respectfully, &c.

JONATHAN JENNINGS.

The copy of the letter alluded to, was read, and is as follows:

GENERAL LAND OFFICE,

6th September, 1821.

SIR—

Agreesably to request, a statement of the amount of monies payable to the state of Indiana, on account of the

three per cent. fund is in preparation, and will be transmitted, as soon as practicable. The discrimination of monies received for lands sold in Indiana, which are situate in Illinois, upon the lands situate in Indiana, is a work which will unavoidably create delay, as the land office returns have blended these items.

I have the honor to be, Sir,

With great respect,

Your ob't. serv't.

JOSIAH MEIGS.

His Excellency,

JONATHAN JENNINGS,

Governor of the state of Indiana.

On motion,

The said communications were referred to the committee to whom was referred, the subject of the three per cent. fund.

The joint resolution from the Senate, on the subject of education, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed joint resolution for the relief of Matthew Patrick was taken up, and on motion of Mr. Prince, the further consideration of the same, was postponed until the second Monday in December next—And then

The House adjourned till to-morrow morning ten o'clock.

FRIDAY MORNING, November 23, 1824.

House met pursuant to adjournment.

On motion by Mr. Murdock—

The House reconsidered the vote taken on yesterday postponing the further consideration of the joint resolution, for the benefit of Matthew Patrick, and the said resolution was then read the third time, and on the question, Shall this bill pass? It was decided in the affirmative.

And the Ayes and Nays being demanded by Messrs. Johnston of Knox and Murdock—

Those who voted in the affirmative are,

Messrs. Arion,	Kimberly,
Buttall,	Lane,
Braman,	Maxwell,
Canby,	Milroy,
Clark,	Reed,
Dewey,	Thompson,
Donaghe,	Tipton,
Ferris,	Wallace,
Green,	Wright and
Johnston, of Pike,	Mr. Speaker—29.

And these in the Negative are,

Messrs. Beckes,	Messrs. Lindsley,
Benefield,	Prince.
Bentley,	Shelby and
Johnston, of Knox,	Vandever—8.

Ordered, That this resolution be entitled a joint resolution for the benefit of the public printer.

Ordered, That the senate be informed thereof and their concurrence be requested.

Mr. Prince from the committee on the judiciary reported, that the said committee had directed him to report a bill to amend the act, entitled, "An act to reduce into one, all acts and parts of acts now in force in this state, regulating proceedings in actions at law and suits in chancery, which bill he handed in at the clerk's table, and which was read the first time, and ordered to be read a second time to-morrow.

Mr. Johnston of Knox, from the committee appointed, to wait upon, and request of the Auditor of Public Accounts, a detailed statement of certain general charges in his annual report, made the following report:

Mr. Speaker,

The committee who were appointed to wait upon and request of the Auditor of Public Accounts, a detailed statement of certain general charges in his report have performed that duty in the following manner: On the 22d inst. your committee addressed to the Auditor a note enclosing the resolution of this House under which they acted, of which the accompanying documents marked A is a copy: And upon the 23d inst. they received from the Auditor the accompanying answer marked B.

Wherefore, they request to be discharged from any further duty on the business of the said committee.

G. W. JOHNSTON, } Com'tee
J. T. CANBY.

The note marked A, reads as follows:

CORYDON, Nov. 22d, 1824.

SIB—By direction of the House of Representatives, we have the honor of communicating the enclosed resolution, and request your answer, as soon as practicable.

We are, &c,

G. W. JOHNSTON. } Com'ee.
J. T. CANBY. }

Wm. H. LILLY, Aud. Pub. Acc'ts.

The detailed statement of the Auditor, being the document marked B, reads as follows:

A detailed statement of the account, constituting the charges contained in the report of the Auditor of Public Accounts, made to the House of Representatives on the 21st inst. respecting the sums audited to the commissioner, for running the state line, taking in the census, the commissioners for locating the site for the permanent seat of government, and postage on public letters.

There has been audited from the 27th of November, 1820, to the 17th of November 1821, in the liquidation of the claims of county censors, the sum of \$ 358 00

In liquidation of public postage, to the executive, the sum of 16 36

In liquidation for running the state line, the sum of 716 68

In liquidation of the claims of the commissioners, to locate the site for the permanent seat of government, the sum of 395 35

In liquidation of legislative claims, the sum of 7.762 31

Making the sum total of \$9,218 70

Respectfully submitted.

WM. H. LILLY, A. P. A.

Mr. Johnston of Knox, submitted the following resolution:

RESOLVED, That the explanatory remarks of the Auditor of Public Accounts to his former report, and now reported to this House by the select committee, be printed in connexion with his first report, that the clerk of this House make out a copy thereof, for the printer, and that the Senate be informed thereof, and their concurrence desired, and on the question—Will the House adopt said resolution? It was decided in the negative.

Mr. Powell presented the petition of John Blue, praying a divorce from his wife, late Abigail Gridley, which was read and referred to a select committee of messrs. Powell, Lane and Ferris, with leave to report by bill or otherwise.

A message was received from the Senate by Mr. Blake, announcing that the Senate had concurred in the amendments made by this House to the joint resolution from the Senate, on the subject of education.

Mr. Reed, having obtained leave, introduced a bill, to authorise a transfer of prisoners, in certain cases, which was read the first time, and ordered to a second reading on to-morrow.

On motion by Mr. Clark—

RESOLVED, That a select committee be appointed, to enquire, whether any, and if any, what amendments are necessary to be made, to the several acts now in force in this state, relating to divorces, with leave to report by bill or otherwise—
And

Thereupon,

Messrs. Clark, Reed, Powell, Dewey and Battell were appointed said committee.

Mr. Wright presented the petition of the county commissioners of Washington county, praying that an act may be passed, authorising the county commissioners of the several counties in this state, to appoint their own clerks respectively, which was read and laid on the table.

Mr. Maxwell from the select committee, to whom was referred, the petition of Jeremiah Lockwood, praying certain relief, reported a bill, giving the relief prayed for, which was read and ordered to be read a second time on to-morrow.

The House proceeded to consider the orders of the day.

The joint resolution, adjourning the General Assembly from Corydon to Charlestown, which was postponed to a day certain, at the last session of the General Assembly, was taken up—And

On motion by Mr. Murdock—

The further consideration thereof was indefinitely postponed.

The bill authorising the qualified voters in the several townships in this state, to elect township officers, was taken up, and read the second time and ordered to lie on the table.

The bill to continue in force, an act to locate certain roads therein named, was read the second time, and committed to a committee of the whole house, and made the order of the day, for to-morrow.

A message in writing was received from the Governor by H. H. Moore, Esq. his private secretary, which was read, and is as follows:

To the Senate and House of Representatives.

In compliance with the request of the executive and legislative authority of the state of Ohio, I herewith present for the consideration of the General Assembly, copies of a report of the joint committee of both Houses of the General Assembly of that state, on the proceedings of the bank of the United States, against the officers of state. This document, involves principles of vital importance, to the perpetuity of the federal government, and to the rights of the state sovereignties. It affords commanding evidence of the intelligence of the legislative body, from which it emanated, and will be appreciated, while state rights shall be considered important to the freedom of the citizen.

The opinion of the General Assembly is respectfully requested, on the part of the General Assembly of the state of Ohio.

JONATHAN JENNINGS.

On motion,

The said communication, together with the accompanying documents, was referred to a committee of the whole House, and made the order of the day, for monday next.

The bill, for the relief of creditors of corporations, was read the second time and committed to a committee of the whole House on to-morrow.

And the House adjourned till two o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Wright—

Mr. Lane was added to the committee appointed, to enquire what amendments are necessary, to the act regulating fees.

On motion of Mr. Wright—

Resolved, That a select committee be appointed, to enquire into the expediency of authorising the Agent of Indianapolis, to establish a ferry across White river, on the lands reserved for a ferry for the use of the state, and also to rent the improved lands on the donation, with leave to report by bill or otherwise—And

Thereupon,

Messrs. Wright, Lane and Arion were appointed said committee.

Mr. Milroy submitted the following resolution :

Resolved, That a committee be appointed, to enquire into the expediency of abolishing the office of county commissioners, and establishing a county court, to be composed of the justices of the peace, to transact county business, with leave to report by bill or otherwise.

Mr. Ferris moved to amend the said resolution, by striking out the words, "justices of the peace," and insert in lieu thereof, the words, "associate judges" of the county, and on the question, Shall the said resolution be so amended? It was decided in the negative :

And the Yeas and Nays being demanded by Messrs. Dewey and Murdock,

Those who voted in the affirmative were,

Messrs. Ferris,	Miller,
Green,	Murdock,
Johnston, of Knox,	Powell and
Lane,	Tipton—2.
Merrill,	

And those in the Negative are,

Messrs. Arion,	Lindsley,
Battoll,	Maxwell,
Beckes,	Milroy,
Benefield,	Powell,
Bentley,	Ray,
Braman,	Reed,
Canby,	Shelby
Clark,	Thompson,
Dewey,	Vandever,
Donaghe,	Wallace,
Johnston, of Pike,	Wright and
Kimberly,	Mr. Speaker—25.
Kirkpatrick,	

Mr. Murdock then moved, that the further consideration of the said resolution be indefinitely postponed, which motion was decided in the negative, and on the question of adopting said resolution, the Yeas and Nays being demanded by Messrs. Powell and Ferris, the votes were as follows :

In the affirmative,

Messrs. Arion,	Lindsey,
Battell,	Maxwell,
Braman,	Milroy,
Canby,	Prince,
Clark,	Ray,
Dewey,	Reed,
Donagha,	Thompson,
Johnson, of Pike,	Vandever,
Kimberly,	Wallace,
Kirkpatrick,	Wright and
Lane,	Mr. Speaker—22.

In the negative,

Messrs. Beckes,	Merrill,
Buchheid,	Miner,
Bentley,	Murdock,
Ferris,	Powell,
Green,	Shelby and
Johnston, of Knox,	Tipton—12.

And so the resolution was adopted.—And

Thereupon,

Messrs. Milroy, Dewey, Reed, Prince and Maxwell, were appointed said committee.

On motion by Mr. Canby—

Resolved, That a select committee be appointed, to enquire into the expediency of abolishing the office of county treasurer, and transferring the business to the sheriff of the proper county—And

Thereupon,

Messrs. Canby, Clark, Bentley, Johnston of Knox, and Kimberly, were appointed said committee.

Mr. Ray offered the following resolution, which was negatived.

Resolved, That a committee of three be appointed, to enquire into the expediency of excusing the associate judges of each county in this state, from sitting on the bench in term time, with leave to report by bill or otherwise.

And then the House adjourned till to-morrow morning, ten o'clock.

—————
SATURDAY MORNING, November 24, 1824.

House met pursuant to adjournment.

Mr. Ray, from the select committee appointed to enquire into the expediency of introducing the writ of replevin, in certain cases, reported, that the said committee, had according to order, had the subject under consideration, and had directed him to report by bill, which bill he handed in at the clerk's table, where it was read the first time, and ordered to be read a second time on Monday next.

Mr. Ferris, from the committee of ways and means, to whom was reported, so much of the Governor's message as relates to the public debt, reported, that the said committee had according to order, had that subject under consideration, and had directed him to report a bill, to appropriate money for the payment of twenty thousand dollars of the public debt, which bill he handed in at the clerk's table, where it was read the first time, and ordered to be read a second time on Monday next.

Mr. Tipton from the select committee to whom was referred, so much of the Governor's message, as relates to the expenses occasioned by the recaption of John Dahmen, reported, that the said committee had according to order, had that subject under consideration, and had directed him to report a bill, for the relief of James Besse and John Eastburn, which bill he handed in at the clerk's table, where it was read the first time, and ordered to a second reading on Monday next.

On motion of Mr. Thompson—

RESOLVED, That the committee on that part of the Governor's message, that relates to the recaption of John Dahmen be instructed, to procure and lay before this House from the treasurer of state, a statement of the amount of money paid out to the use of James Besse and John Eastburn, on account of said recaption.

On motion of Mr. Green—

Mr. Vandever was added to the committee on military affairs.

On motion by Mr. Kirkpatrick—

Resolved, That the printer of the laws and journals, of the present General Assembly, be authorised to print five hundred copies of the journals of the House of Representatives at their present session.

Mr. Powell from the select committee, to whom was referred, the petition of John Blue, praying a divorce from his wife late Abigail Gridley, reported a bill for that purpose, which was read the first time, and objections being made

to said bill, the question was then put, Shall this bill be reported? Which question was decided in the negative, and the said bill was ordered to be read a second time on Monday next.

Mr. Bentley presented the petition of sundry inhabitants of Ross township in Switzerland county, praying to be attached to the county of Ripley, which was read and committed to a select committee of Messrs. Bentley, Powell and Kimberly, with leave to report by bill or otherwise.

A message was received from the Senate by Mr. New, announcing that the Senate, had passed the engrossed bill from this House, entitled an act for the relief of the public printer, with some amendments, in which amendments they asked the concurrence of this House, which amendments were read and concurred in by this House.

Ordered, That the Senate be informed thereof.

The House proceeded to consider the orders of the day.

The bill to authorise a transfer of prisoners, in certain cases, was read the second time, and committed to a committee of the whole House, and made the order of the day for Monday next.

The bill for the relief of Jeremiah Lockwood was read the second time, and committed to a committee of the whole House, and made the order of the day for Tuesday next.

The bill to amend the act entitled, An act to reduce into one, all acts and parts of acts now in force in this state regulating proceedings, in actions at law and suits in chancery, was read the second time and committed to a committee of the whole House, on Monday next.

The House according to order, resolved itself into a committee of the whole, on the bill for the

relief of creditors of corporations, Mr. Thompson in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Thompson reported, that the committee of the whole had according to order, had the said bill under consid-

eration, and made some amendments to the same in which he was directed to ask the concurrence of the House.

On motion,
The House concurred in said amendments.

On motion by Mr. Lane—

The said bill was referred to a select committee of messrs. Merrill, Lane, Dewey, Thompson and Johnston, of Knox, to consider and report thereon.

A message was received from the Senate, by Mr. Gregory, announcing that the Senate had passed the engrossed joint resolution, concerning the treasurer of state, which originated in this House, with an amendment—in which amendment, he was directed to ask the concurrence of this House, which amendment was taken up, and read and concurred in.

Ordered, That the Senate be informed thereof.

The House according to order, resolved itself into a committee of the whole, on the bill divorcing Peggy Harnis from her husband Michael Harnis, Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole, had according to order, had the said bill

under consideration, and made one amendment thereto, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

Ordered, That said bill be engrossed for a third reading on Monday next.

A message in writing was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read and is as follows:

CORYDON, Nov. 24, 1821.

*To the Senate and
House of Representatives.*

I herewith submit to the House of Representatives, a report and sundry resolutions, on the subject of appropriating a portion of the public lands, for the purposes of education, transmitted by the Governor of the state of Maryland, together with a letter on the subject.

Respectfully,

JONATHAN JENNINGS.

On motion—

The said communication and documents, were referred to a committee of the whole on Monday next.

And the House adjourned till Monday morning nine o'clock.

Monday morning, November 26th, 1821.

The House met pursuant to adjournment.

Elh Dixon, a member from the Representative district, composed of the counties of Green, Owen and Morgan—and Loring A. Waldo, a member from the county of Wayne, appeared, produced their credentials, were sworn, and took their seats as members of this House.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had examined and compared with the engrossed bill, the enrolled bill entitled, "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for the permanent seat of government, and to legalize the report and allowances made and signed by Christopher Harrison, one of said commissioners," and had found the same truly enrolled—

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof, and the signature of their President be requested.

Mr. Murdock submitted the following resolution :

Resolved, That it is expedient under existing circumstances, that the two Houses of the General Assembly, do adjourn to some neighboring town.

Resolved, That a committee be appointed, of three members, one from the eastern section of this state, one from the western, and one from the middle section, with instructions to enquire into the practicability of such a measure, and if it be by them deemed practicable, to prepare and report a bill or joint resolution for that purpose, which resolution was negatived.

A message was received from the Senate by Mr. Blake, announcing that the President of the Senate, had signed the enrolled bill, entitled, "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for the permanent seat of government, and to legalize the report and allowances made and signed by Christopher Harrison one of said commissioners.

Mr. Tipton submitted the following resolution, which was read and adopted : viz.

Whereas, it having pleased Almighty God, to call from this vale of tears, the highly respected and much lamented John N. Dunbar, Esq. a member of the House of Representatives from the county of Harrison—

Resolved, That the members and officers of the House of Representatives, wear crape on the left arm for the space of one month, as a badge of mourning, and a testimony of the high respect, which they entertain for the distinguished talents, integrity and usefulness of the deceased.

And that this House adjourn this day at 10 o'clock, A. M. until to-morrow morning at 9 o'clock, for the purpose of attending his funeral, which will take place this day, precisely at 12 o'clock, that the Senate be informed thereof, and a similar resolution requested on their part.

Mr. Tipton presented the petition of Joseph Powral and others, of Bartholomew county, praying that commissioners may be appointed to lay out a state road from Vernon to Indianapolis by the way of Columbus in said county, which was read, and committed to a select committee of Messrs. Tipton, Lindsey, Arion, Kimberly and Bentley, with leave to report by bill or otherwise.

Mr. Beckes presented the petition of sundry citizens of Knox county, praying that an act may be passed, authorizing the electors in each township, to elect a constable, who may be authorised to appoint his deputies, which was read and laid on the table.

On motion by Mr. Canby—

Resolved. That the committee to whom was referred, the petition of Joseph Powval and others, be directed to enquire into the expediency of laying out a state road, on the nearest and best ground, from Madison to Columbus, and thence to Indianapolis.

Mr. Thompson asked and obtained leave, to introduce a bill, authorising a stay of legal process, in certain cases, which was read and ordered to be read a second time on to-morrow.

The bill appropriating 20,000 dollars, for the payment of the public debt, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow,

The following message was received from the Senate, by Mr. Slaughter, a member.

Mr. Speaker,

The Senate have passed the following resolution :

Resolved. That the members and officers of the Senate, wear craps on the left arm for the space of one month, as a testimony of the high respect which they entertain for the talents, integrity and usefulness of the late John N. Dunbar, Esq. deceased, a member of the House of Representatives, and that the Senate adjourn at 10 o'clock A. M. to day until 9 o'clock, to-morrow morning, for the purpose of attending his funeral, and that the House of Representatives be informed thereof.

And he withdrew.

And the House adjourned till 9 o'clock to-morrow morning.

Tuesday morning, Nov. 27, 1821.

House met pursuant to adjournment.

Mr. Powell, having obtained leave, presented the petition of James Wilson and others, praying that a new county may be laid off in the New Purchase, which was read—And

On motion by Mr. Powell—

Resolved. That the said petition be referred to a select committee, with instructions to take into consideration, the propriety of laying off a number of new counties east of Indianapolis, with leave to report by bill or otherwise—And

Thereupon,

Messrs. Powell, Tipton, Lindsey, Milroy and Maxwell, were appointed said committee.

Mr. Miller, presented the petition of Robert Gray and Reuben H. Murray, undertakers of the state prison at Jeffersonville, praying certain relief, which was read—And

On motion of Mr. Miller—

The same was referred to the select committee to whom was referred, so much of the Governor's message, as relates to the state prison, with leave to report by bill or otherwise.

Mr. Tipton from the select committee, who reported a bill for the relief of James Besse and John Eastburn, and who were requested by a resolution of this House, to procure and lay before the House, certain documents, shewing what amount had been paid to the said James Besse and John Eastburn, towards defraying the expenses occasioned by the recaption of John Dahmen, re-

ported, that the said committee had performed that duty, and presented certain documents exhibiting the amount which had been paid to the said John Eastburn and James Besse out of the fund appropriated for contingent expenses, which documents were read and referred to the committee of the whole to whom was referred, the bill for the relief of the said James Besse and John Eastburn.

Mr. Prince from the judiciary committee, reported, that the said committee had instructed him to report a bill, supplemental to the act, organizing circuit courts, and for other purposes, approved December 24th, 1818, which bill he handed in at the clerk's table, where it was read the first time, and was ordered to be read a second time to-morrow.

The Speaker laid before the House a communication from General W. Johnston, Esq. enclosing the proposals of Smith and Bolton of Indianapolis, for printing under the sanction of the General Assembly "the Indiana Justice and Scriveners' guide, which communication and documents were read and referred to a select committee of Messrs. Johnston of Knox, Thompson, Ray and Bentley, with leave to report by bill or otherwise.

On motion by Mr. Arion—

Resolved, That the clerks of the House of Representatives be instructed, to furnish the public printer, with a copy of the Journal of the House of Representatives of the present General Assembly from day to day.

Mr. Prince, from the judiciary committee, reported a bill, to amend the act, prescribing the mode of changing the venue, which was read the first time, and ordered to be read the second time on to-morrow.

On motion by Mr. Thompson—

Resolved, That a committee of three members be appointed, to enquire of Armstrong Brandon, if the public printer has made any arrangement with him for the printing of bills for this House, and if not, to make such contract with said Brandon, and report to this House—And

Thereupon,

Messrs. Thompson, Arion and Tipton were appointed said committee.

On motion by Mr. Dixon—

Resolved, That the Judiciary committee be instructed, to enquire into the expediency of so amending the law, relating to contested elections, that in new counties the circuit court or the president thereof, or the associate judges in vacation, have jurisdiction in the same manner, that county commissioners have in other cases, and that they report by bill or otherwise.

Mr. Prince from the committee on the Judiciary, who were instructed by a resolution of this House, to enquire into the expediency and policy of the existing laws on the subject of special bail, reported, that the said committee, had according to order, had the subject under consideration, and had given it that attention, which its importance seemed to demand, and that they

could not perceive any alteration in the laws on this subject, necessary, in which report the House concurred.

A message in writing was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read, and is as follows :

CORYDON, Nov. 26, 1821.

*To the Senate and
House of Representatives,*

Herewith is submitted to the General Assembly, copies of certificates of deposits made in the Bank of Vincennes and its branch in this place, to the credit of the Governor of this state, together with a statement of the accounts in those banks, as they stand at present.

The propriety of using those deposits, in discharging the public debt, is presented to the consideration of the legislature.

Respectfully,

JONATHAN JENNINGS.

On motion,

The said communication and documents were referred to the Judiciary committee, to consider and report thereon.

Mr. Tipton having obtained leave, presented the petition of Luman Beeman, praying a divorce from Sarah Beeman his wife, which was read and referred to a select committee of Messrs. Tipton, Kirkpatrick and Waldo, with leave to report by bill or otherwise.

Mr. Dewey, having obtained leave, presented the petition of John Fulton and others, praying that an act may be passed, authorising the citizens of Crawford county to meet, and select a site for the permanent seat of justice of said county.

Mr. Dewey, also, presented the petition of Cornelius Newkirk and others, praying that their names may be stricken from the petition heretofore presented to this House, praying an act to relocate the seat of justice of Crawford county, which was referred to a select committee, with leave to report by bill or otherwise, which several petitions were read—And

On motion,

Referred to the said select committee, to consider and report thereon.

On motion of Mr. Tipton,

Messrs. Dewey and Merrill were added to the committee of ways and means.

On motion of Mr. Dewey,

Messrs. Thompson and Miller were added to the select committee to whom was referred the petition of sundry citizens of Crawford county, praying that commissioners may be appointed, to relocate the seat of justice of said county.

The House proceeded to consider the orders of the day.

On motion of Mr. Ferris—

The House according to order, now resolved itself into a committee of the whole, to consider the bill, appropriating 20,000 dollars for the payment of the public debt, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dewey reported, that the committee of the whole had according to order, had the said bill

under consideration, had made some progress therein, but not having had time to go through the same, the said committee had directed him to ask leave to set again, which leave was not granted—And

On motion by Mr. Lane—

The said bill was referred to the Judiciary committee to consider and report thereon.

On motion of Mr. Prince—

Messrs. Ferris, Canby and Maxwell, were added to the Judiciary committee.

The bill, divorcing Peggy Harnis from her husband, Michael Harnis, was read the third time, and on the question, Shall this bill pass? It was decided in the affirmative.

And the Yeas and Nays being demanded by Messrs. Thompson and Johnston of Knox:

Those who voted in the affirmative were,	
Messrs. Beckes,	Messrs. Lindsey,
Benefield,	Maxwell,
Bentley,	Merrill,
Dewey,	Miller,
Dixon,	Powell,
Ferris,	Prince,
Green,	Ray,
Johnston, of Knox,	Reed,
Johnson, of Pike,	Tipton and
Lane,	Waldo—20.

And those in the Negative were,

Messrs. Arion,	Messrs. Shelby
Battell,	Thompson,
Canby,	Vandever,
Clark,	Wallace,
Kimberly,	Wright and
Milroy,	Mr. Speaker—12.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The bill dissolving the bans of matrimony between John Blue and his wife, late Abigail Gridley, was read the second time, and was ordered to be engrossed for a third reading on to-morrow.

The bill authorising a stay of legal process in certain cases, was read the second time, and Mr. Merrill moved, that the further consideration of said bill be postponed indefinitely, which motion was decided in the negative—and on that question, the Yeas and Nays being demanded by Messrs. Prince and Thompson, the votes were as follows:

In the affirmative,

Messrs. Battell,	Messrs. Prince.
Benefield,	Reed,
Dewey,	Tipton,
Green,	Vandever,
Lindsey,	Wright and
Merrill,	Mr. Speaker—12

In the negative,

Messrs. Arion,	Messrs. Lane,
Beckes,	Maxwell,
Bentley,	Miller,
Canby,	Milroy,
Clark,	Murdock,
Dixon,	Powell,
Donaghe,	Ray,
Ferris,	Shelby
Johnston, of Knox,	Thompson,
Johnson, of Pike,	Waldo and
Kimberly,	Wallace—23.
Kirkpatrick,	

Ordered, That said bill be committed to a committee of the whole on Monday next.

And the House adjourned till 2 o'clock.

The House met pursuant to adjournment.

Mr. Lane, from the joint committee for enrolled bills, reported, that the said committee had examined and compared, the enrolled with the engrossed bill, entitled, An act repealing part of a joint resolution concerning the treasurer of state—And

A joint resolution on the subject of education, and had found the same truly enrolled:

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof, and the signature of their President requested.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, authorising a transfer of prisoners in certain cases, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mardock reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through the same, had directed to ask leave to set again—which leave was not granted—And

On motion,

The said bill was referred to a select committee of Messrs. Reed, Lane and Dewey, to consider and report thereon by bill or otherwise.

The House according to order, now resolved itself into a committee of the whole, on the bill to continue in force, an act locating certain roads

therein named, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Miller reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to set again, which leave was granted.

A message was received from the Senate by Mr. Flake, announcing that the Senate had passed a joint resolution on the subject of the public lands, lying within the Terre Haute district, in which they desire the concurrence of this House:

And he withdrew.

And the said joint resolution was read the first time, and ordered to be read a second time on to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, for the relief of Jeremiah Lockwood, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Green reported, that the committee of the whole had according to order, had the said bill under consideration, and are directed him to report the same without amendment.

Ordered. That the said bill be engrossed for a third reading on to-morrow.

The bill to authorise the writ of replevin in certain cases, was read the second time, and committed to a committee of the whole for Saturday next.

A communication in writing, was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read, and is as follows:

To the Senate and
House of Representatives,

Herewith is presented to the General Assembly, copies of a letter addressed to the Secretary of state, and his reply thereto, on the subject of public postage, from which it will be apparent, that some provision is necessary, to prevent delays, and consequent dissatisfactions, in the execution of commissions of a civil character.

Respectfully,

JONATHAN JENNINGS.

On motion,

The said communication and the accompanying documents, were referred to the committee of ways and means.

A message, in writing, was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read, and is as follows:

To the Senate and
House of Representatives,

I transmit for the information of the General Assembly, copies of a letter, received from the secretary of state of the United States, on the subject of the late demand, made upon the executive of Kentucky, for certain fugitives from the justice of this state.

This document might have been communicated at an earlier period, but for the hopes, that at a suitable time the subject might have engaged the

attention of the chief magistrate of the United States, and a decision thereon communicated.

Should it be the opinion of the General Assembly however, that further measures, within the purview of the constitution of the United States, should be adopted, in relation to this subject, any duties which may be required of the executive, of this state, will be promptly discharged.

Respectfully,

JONATHAN JENNINGS.

Nov. 27th, 1821.

The copy of the letter alluded to, reads as follows:

His Excellency Jonathan Jennings, Governor of the state of Indiana.

DEPARTMENT OF STATE,
WASHINGTON, 21st July, 1821.

SIR—

I had the honor on the 19th of May last, of receiving yours of the 10th of March, enclosing copies of a correspondence between your Excellency and the Governor of Kentucky, in relation to a demand made for certain persons fugitives from the justice of the state of Indiana, and of the indictments upon which those citizens of Kentucky were demanded.

These papers, together with your letter, were conformably to your request, immediately laid before the President of the United States, for his consideration.

I am with great respect, Sir,

Your humble and obedient servant,

JOHN QUINCY ADAMS.

The foregoing documents after being read, were ordered to lie on the table.

A message was received from the senate, by Mr. Blake, announcing that the president of the Senate had signed the enrolled bill, entitled, an act, repealing part of a joint resolution concerning the treasurer of state—and Joint Resolution on the subject of education.

And he withdrew:

On motion by Mr. Battell—

The committee of the whole to whom was referred, the communication of his Excellency the Governor, and the accompanying documents from the Governor of the state of Maryland, on the subject of appropriating a portion of the public lands for the purposes of education, were discharged from the consideration thereof, and the said communication and documents, were referred to a select committee of Messrs. Battell, Ferris, Ray, Johnston of Knox, Waldo, Braman and Chamberlin, to consider and report thereon.

On motion by Mr. Lane—

The committee of the whole, to whom was referred, the communication of his Excellency the Governor, and the accompanying documents from the Governor of the state of Ohio, on the subject of the proceedings of the United States' Bank, against the officers of state, were discharged from the consideration thereof, and the said communication and documents, were referred to a select committee of Messrs. Lane, Dewey, Prince, Thompson, Merrill, Murdock, Benefield and Waldo, to consider and report thereon.

On motion by Mr. Ferris—

The bill authorising the election of township officers, and the bill authorising the election of constables, were referred to a select committee of Messrs. Ferris, Johnston of Knox,

Johnson of Pike, Shelby and Beckes, to consider and report thereon.

Mr. Johnston of Knox, having obtained leave, introduced a bill to authorise writs of *certiorari*, in certain cases, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Ray having obtained leave, introduced a bill, regulating persons of colour in emigrating to this state, which was read the first time and was ordered to be read a second time on to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, November 28, 1824.

House met pursuant to adjournment.

Allen Crisler, a member from the county of Fayette, appeared, produced his credentials, was sworn and took his seat as a member of this House.

Mr. Prince, from the judiciary committee, to whom was referred, the bill appropriating money for the payment of the public debt, and the proposed amendments thereto, reported, that the said committee had according to order, had the said bill under consideration, and had directed him to report the original bill with some amendments, which he handed in at the clerk's table, where the said bill was read as amended—And

On motion,

The House concurred in said amendments, and the said bill was ordered to be engrossed, and read a third time on this day.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee did on yesterday, present to

the Governor for his approbation and signature, "An act, legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for the permanent seat of government, and legalizing the report and allowances made and signed by Christopher Harrison, one of said commissioners;"

And an act repealing part of a Joint Resolution, concerning the treasurer of state, approved, December 13th, 1830.

On motion by Mr. Wallace—

Resolved, That a select committee be appointed, to enquire into the expediency of changing the present mode of listing taxable property, with leave to report by bill or otherwise—And

Thereupon,

Messrs. Wallace, Maxwell, Kimberly, Wright, Thompson, Milroy and Beckes, were appointed said committee.

Mr. Johnston of Knox, from the committee of revisal and unfinished business of the last session, of the General Assembly, reported, that the said committee had upon further examination into the unfinished business of the last session, found the following statement, and request in the name of one Thomas Bentley, for charges to be preferred against Aaron Vandever and William Boyce, two Justices of the peace for the county of Washington, as also a report by a select committee, that the charges presented to the House of Representatives, against the said justices, (although now actually appeared in form) should be postponed until the present session, owing to the late period at which the subject came before the last session, upon examination and due consideration of the above business, in the shape in which it now appears, and as no testimony accompanies any part of the papers, your committee are of opinion, that it is inadvisable to commence proceedings, by way of impeachment,

upon documents so vague, and wanting every species of attestation—which report being read at the clerk's table, and it being suggested that testimony was within the reach of the House, and could be procured to sustain said impeachment—

On motion by Mr. Murdock—

The said report and documents accompanying the same, were referred to a select committee of Messrs. Murdock, Ferris, Johnston of Knox, Dewey and Wright to consider and report thereon.

Mr. Bentley from the select committee to whom was referred, the petition of the citizens of Ross township in Switzerland county, praying to be attached to the county of Ripley, reported, that the said committee had according to order, had the said petition under consideration, and had directed him to report a bill, pursuant to the prayer of said petitioners, which bill he handed in at the clerk's table, where it was read the first time, and was ordered to be read a second time on to-morrow.

Mr. Dewey, having obtained leave, presented the petition of William Harrod and others, praying that a state road may be established from Leavenworth to Hindostan, which was read and referred to a select committee of Messrs. Dewey, Green, Reed, Shelby and Vandever, with leave to report by bill or otherwise.

Mr. Dewey, presented the petition of Josephus Collett, praying a divorce from Elizabeth Collett his wife, late Elizabeth Tiffin, which was read and referred to a select committee of Messrs. Dewey, Shelby, Dixon, Johnston of Knox and Prince, with leave to report by bill or otherwise.

Mr. Prince from the judiciary committee, to whom was referred, a communication from his Excellency the Governor, upon the subjects of deposits made by him in the bank at Vincennes, the state bank of Indiana and its branch at

Corydon, with the accompanying documents, reported, that the said committee had according to order, had the subject under consideration, and were of opinion, that it is inexpedient at this time, to act upon said communication and documents, inasmuch as said deposits are fully under the control of his Excellency.

On motion,

The House concurred in said report.

Mr. Braman, having obtained leave, presented the petition of William H. Ewing, collector of Jackson county, praying certain relief, which was read and referred to a select committee of Messrs. Braman, Thompson and Chamberlin, with leave to report by bill or otherwise.

Mr. Reed, having obtained leave, presented the petition of Elam Willy and others, praying that a state road may be established from Leavenworth to Hindostan, which was read and referred to the same committee to whom was referred, the petition of William Herrod and others, on the same subject.

Mr. Miller, having obtained leave, introduced a bill, creating the office of Attorney General, and for the appointment of Circuit prosecutors, which was read the first time, and ordered to be read a second time on to-morrow.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had appointed a committee, to act with a similar committee on the part of the House of Representatives, to enquire into the expediency of a law, dividing this state into Congressional Districts, for the purpose of electing members to the Congress of the United States, with leave to report by bill or otherwise, and had appointed

Messrs. Harrison, Graham, Blake, Connor, Laughlin and Bartholomew, a committee on their part, and requested a similar committee on the part of the House of Representatives:

And he withdrew.

On motion by Mr. Braman—

Resolved, That the committee on the subject of fees be instructed, to enquire into the propriety of allowing jurors fees in all criminal prosecutions in cases of conviction, with leave to report by bill or otherwise.

Mr. Speaker laid before the House, the report of Edward B. Wilson, trustee of the public seminary for Harrison county, from which it appears, there is in his hands, the sum of four hundred and thirty-six dollars and fifty-four and a half cents, of the funds belonging to the seminary of said county.

Mr. Prince from the judiciary committee, to whom was referred, so much of the Governor's message, as relates to a revision of the statute laws of this state, reported, that the said committee had according to order, had that subject under consideration, and had directed him to report a bill for that purpose, which bill he handed in at the clerk's table, where it was read the first time, and ordered to be read a second time on to-morrow.

The House proceeded to consider the orders of the day.

The bill appropriating money for the payment of 20,000 dollars of the public debt, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The bill to amend the act, prescribing the mode of changing the venue, was read the second time, and committed to a committee of the whole House and made the order of the day for to-morrow.

The bill authorising and regulating the writ of *certiorari*, was read the second time and committed to a committee of the whole House, on to-morrow.

The engrossed joint resolution on the subject of the public lands, lying in the Terre Haute district, was read the second time, and ordered to be read the third time on to-morrow.

The bill, regulating the emigration of people of colour, was read the second time—And

On motion,

Referred to a select committee of messrs. Ray, Tipton, Arion, Milroy and Johnston, of Knox, to consider and report thereon.

The engrossed bill, for the relief of Jeremiah Lockwood, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Ferris submitted the following resolution, which was read and adopted:

Resolved, That the committee on education be instructed, to enquire into the situation of the seminary funds, in the several counties of this state, and report the result to this House—and of the propriety of abolishing the office of trustee of county seminaries.

Mr. Tipton having obtained leave, introduced a joint resolution, making appropriations for the payment of certain expenses, in repairing the scales in the chambers of the Senate and House of Representatives, which was read the first time, and the rule being dispensed with, the same was read the second and third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Governor, by Mr. Moore his private secretary, announcing, that he did, on this day, approve and sign, an act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for the permanent seat of government, and to legalize the report and allowances made and signed by Christopher Harrison, one of said commissioners, and an act entitled, an act repealing part of a joint resolution, concerning the treasurer of state, approved December 13th, 1820, both of which originated in this House.

Mr. Tipton, from the select committee, to whom was referred, the petition of Liman Beeman, reported a bill divorcing the said Liman Beeman, from his wife Sally Beeman, late Sally Melott,

which was read the first time, and ordered to be read the second time to-morrow.

And the House adjourned till two o'clock, P. M.

The House met pursuant to adjournment.

Mr. Powell, presented the petition of sundry citizens of Dearborn county, praying that a state road may be established, from the town of Aurora in said county, to the town of Nepolean in Ripley county, which was referred to a select committee of Messrs. Powell, Bentley and Lane, with leave to report by bill or otherwise.

Mr. Thompson presented a supplemental petition, of Reuben H. Murray and Robert Gray, on the subject of the state prison at Jeffersonville, which was read and referred to the committee to whom was referred, so much of the governor's message, as relates to the state prison.

On motion by Mr. Thompson—

Messrs. Dewey, Murdock and Kirkpatrick, were added to the last mentioned committee.

A message was received from the Senate by Mr. Blake, announcing, that the Senate had passed a bill, supplemental to an act, entitled, An act for the formation of a new county north of Vigo county, in which they request the concurrence of the House of Representatives—

And he withdrew.

And the said bill was read the first time, and was ordered to be read a second time on to-morrow.

Mr. Merrill from the select committee to whom was referred, so much of the Governor's message, as relates to domestic manufactures, reported a bill to encourage domestic manufactures, which was read the first time, and ordered to be read a second time on to-morrow.

The engrossed bill, dissolving the bands of matrimony between John Blue and Abigail his wife, late Abigail Gridley, was read the third time; and the question, Shall this bill pass?

The Yeas and Nays being demanded by Messrs. Kimberly and Murdock, the votes were as follows:

In the affirmative,

Messrs. Beckes,	Messrs. Lane,
Benefield,	Lindsey,
Bentley,	Miller,
Chamberlin,	Powell,
Dewey,	Ray,
Dixon,	Reed,
Farris,	Tipton and
Green,	Waldo—17.
Johnston, of Knox,	

In the negative,

Messrs. Arion,	Messrs. Maxwell,
Battell,	Milroy,
Braman,	Murdock,
Canby,	Shelby,
Clark,	Thompson,
Crisler,	Vandever,
Donaghe,	Wallace,
Johnson, of Pike,	Wright and
Kimberly,	Mr. Speaker—19.
Kirkpatrick,	

And so the said bill was negatived.

A message was received from the Senate by Mr. New, assistant secretary, announcing that the Senate had passed the engrossed bill which originated in this House, appropriating money for the payment of 20,000 dollars of the public debt, without amendment—

And he withdrew.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed the following resolution:

Resolved, That in the trial of the impeachment against Curtis Gilbert, clerk of the Vigo Circuit Court, the managers on the part of the House of Representatives and the defendants counsel are requested to furnish, on the day of trial, briefs as far as possible of the laws upon which they may respectively rely, and that the House of Representatives be informed thereof—

And he withdrew.

And the House adjourned till to-morrow morning nine o'clock.

THURSDAY MORNING, Nov. 29, 1821.

The House met pursuant to adjournment.

Mr. Dewey from the committee to whom was referred, the petition of Josephus Collett, reported a bill, divorcing said Josephus Collett from his wife Elizabeth Collett, late Elizabeth Tiffin, which bill he handed in at the clerk's table, where it was read the first time, and was ordered to be read a second time to-morrow.

On motion by Mr. Ray—

Resolved, That the judiciary committee be instructed, to enquire into the expediency and necessity of reducing into one act, all the acts and parts of acts in force in this state, relating to the writ of *habeas corpus* and of making such amendments thereto, as will render the law on that subject more explicit.

Mr. Clark, having obtained leave, presented the petition of Sally M. Mosely, praying a divorce from her husband Fielding G. Mosely, which was read and referred to a select committee of Messrs. Clark, Miller and Arion, with leave to report by bill or otherwise.

Mr. Merrill, having obtained leave, presented a bill to prevent the misapplication of money by officers of Justice, which was read the first time, and was ordered to be read a second time on to-morrow.

On motion by Mr. Prince—

Mr. Ray was added to the committee on the judiciary.

On motion by Mr. Arion—

Resolved, That the committee of ways and means be instructed, to enquire into the expediency and propriety of imposing a tax of two dollars on bachelors above the age of 25 years, with leave to report by bill or otherwise, and that persons who have been divorced, and not having the charge of a family, be deemed bachelors.

Mr. Canby presented the petition of John Vawter, on behalf of himself and the baptist society, praying that a portion of the public ground, at Indianapolis, may be granted to them for the purpose of a church, was read and referred to a select committee of messrs. Canby, Kimberly, Prince, Merrill, Lane. Thompson and Maxwell, with leave to report by bill or otherwise.

On motion by Mr. Murdock—

Resolved, This House will on this day at 2 o'clock P. M. proceed to the election of an additional clerk.

The House proceeded to consider the order of the day.

The bill for the purpose of establishing a permanent system of statute laws in this state, was read the second time, and committed to a committee of the whole House, and made the order of the day for Monday next.

And the House adjourned till 2 o'clock P. M.

The House met pursuant to adjournment.

The House proceeded by ballot to elect an additional clerk, and upon examination it appeared, that Godfrey H. Belding was duly elected.

The speaker laid before the House, the report of John Vawter, trustee of the public seminary for the county of Jennings, from which it appears, there is in his hands the sum of ninety nine dollars and seventeen cents, belonging to the seminary of said county, which communication was read and laid on the table.

A message was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read and is as follows:

To the House of Representatives,

I communicate to the House, as the legitimate power of directing appropriations of money, the report of a commit-

tee of the Louisiana legislature, and a letter from the Governor of that state, on the propriety of aiding the establishment of an hospital at the city of New Orleans.

The views of the government of Louisiana are enlightened and humane, and altho' our financial concerns do not for the present authorize an appropriation, yet the documents are entitled to respectful attention.

Respectfully,

JONATHAN JENNINGS.

On motion by Mr. Dewey—

The said communication and the accompanying documents, were referred to a select committee of messrs. Dewey, Canby, Johnson of Pike and Donaghe, with leave to report by bill or otherwise.

The Speaker laid before the House, the report of Samuel Jones, trustee of the public seminary for Posey county, from which it appears, there is in his hands, the sum of three hundred and twelve dollars, belonging to the seminary of said county.

The joint resolution on the subject of public lands in the Terre Haute district was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House according to order, resolved itself into a committee of the whole, on the bill supplemental to an act entitled An act organizing circuit courts and for other purposes, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Johnston of Pike reported, that the committee of the whole had according to order, had

the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House, which amendments he handed in at the clerk's table, where they were read and concurred in by the House.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

The House according to order, now resolved itself into a committee of the whole on the bill to amend the act, prescribing the mode of changing the venue, Mr. Crisler in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Crisler reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made one amendment to the same, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendment.

Ordered, That the said bill be engrossed, and read a third time on to-morrow.

The bill authorising and regulating the writ of certiorari, was taken up, and Mr. Battell moved, that the further consideration of said bill be indefinitely postponed, which was decided in the affirmative, and the yeas and nays being demanded by Messrs. Powell and Johnston—

Messrs. Beckes, Johnston, of Knox, and Thompson, voted in the negative, and all the rest in the affirmative.

The bill establishing the office of attorney general, and

providing for the appointment of Circuit prosecutors, was read the second time, and Mr. Thompson moved, that the further consideration of said bill be indefinitely postponed, which motion was decided in the negative:

And the yeas and nays being demanded by Messrs. Wright and Reed, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Kimberly,
Murdock,
Reed,

Messrs. Thompson,
Wright and
Mr. Speaker—6.

And those in the Negative were,

Messrs. Arion,
Battell,
Beck's,
Bensfield,
Bentley,
Candy,
Chamberlin,
Clark,
Crisler,
Dewey,
Dixon,
Donaghe,
Ferris,
Green,
Johnston, of Knox,

Messrs. Johnson, of Pike,
Kirkpatrick,
Lane,
Lindsey,
Maxwell,
Merrill,
Milroy,
Powell,
Prince,
Ray,
Shelby
Tipton
Vanderer, and
Wallace—29.

On motion,

The said bill was committed to a committee of the whole House, and made the order of the day for Monday next.

And the House adjourned until to-morrow morning nine o'clock.

FRIDAY MORNING, Nov. 30, 1821.

House met pursuant to adjournment.

Godfrey H. Belding assistant clerk, was called in and sworn into office.

Mr. Murdock, having obtained leave, presented the petition of Katharine Sellers, late Katharine Moffit, praying to be divorced from Nathan Sellers her husband, which was read and referred to a select committee of Messrs. Murdock, Ray and Crisler, with leave to report thereon by bill or otherwise.

Mr. Wallace having obtained leave, presented the petition of John Regney and others, praying certain relief, which was read and referred to a select committee of Messrs. Wallace, Dewey and Milroy, with leave to report thereon by bill or otherwise.

Mr. Green from the select committee to whom was referred, the several petitions, praying a removal of the seat of justice of Crawford county, reported a bill appointing commissioners to relocate the seat of justice of said county, which was read the first time, and ordered to be read a second time on to-morrow.

Mr. Ray, having obtained leave, presented the petition of William Davis and others, praying for the formation of a new county out of the counties of Bartholomew and Delaware, which was read and referred to the select committee to whom was referred, the petition (presented by Mr. Powell) of sundry citizens, praying that a new county may be formed in the New Purchase.

Mr. Lindsay, having obtained leave, presented the petition of sundry citizens of Bartholomew and Delaware counties, praying that a new county may be formed out of said counties, which was read.

Mr. Lindsey also presented the remonstrance of Edward Bollinger and others, of Bartholomew county, against the said last mentioned petition, which petition and remonstrance were averally read and referred to the said last mentioned committee.

Mr. Ray, having obtained leave, presented the petition of sundry citizens residing on Blue river, in Bartholomew and Delaware counties, praying an act declaring said river navigable a certain distance, which was read and referred to a select committee of Messrs. Ray, Murdock and Maxwell, with leave to report by bill or otherwise.

Mr. Reed from the select committee, to whom was referred, the petition of John Campbell, reported a bill, divorcing him from his wife, Mary Campbell, which was read and ordered to be read a second time on to-morrow.

Mr. Clark from the committee to whom was referred, the petition of Sally M. Mosely, reported a bill, divorcing her from her husband, Fielding G. Mosely, which was read the first time, and ordered to be read a second time on to-morrow.

On motion by Mr. Canby—

Mr. Kimberly was added to the select committee to whom was referred, the several petitions, praying for new counties in the New Purchase.

On motion by Mr. Murdock—

Mr. Waldo was added to the same committee.

Mr. Merrill, having obtained leave, introduced a bill to amend the act, directing the mode of proceedings in impeachment, which was read the

first time and ordered to be read a second time on to-morrow.

The House proceeded to consider the orders of the day.

The bill attaching part of Switzerland county to Ripley county, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to dissolve the bans of matrimony, between Liman Beeman and Sally Beeman, late Sally Melott was read the second time, and committed to a committee of the whole for Monday next.

The bill to encourage domestic manufactures was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill to amend the act, for the formation of a new county north of Vigo county, was read the second time and ordered to be read a third time to-morrow.

The bill to prevent the misapplication of money by officers of justice, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill divorcing Josephus Collett from his wife Elizabeth Collett, late Elizabeth Tiffin, was

read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill, to amend the act, entitled, An act prescribing the mode of changing the venue was read the third time and passed.

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

And the House adjourned till to-morrow morning nine o'clock.

SATURDAY MORNING, December 1, 1821.

The House met pursuant to adjournment.

Joseph Holman, a member from the county of Wayne, appeared, produced his credentials, was sworn, and took his seat as a member of this House.

Mr. Ray from the select committee, to whom was referred the petition of sundry citizens residing on Blue river in Bartholomew and Delaware counties, reported, that the said committee had according to order, had the said petition under consideration, and had directed him to report a bill supplemental to an act entitled, An act declaring certain streams therein named navigable, which bill he handed in at the clerk's table, where it was read and ordered to a second reading on Monday next.

Mr. Ferris from the committee of ways and means, reported a bill to authorise a loan for the benefit of the state,

which was read the first time and ordered to a second reading on Monday next.

Mr. Murdock from the select committee to whom was referred, the report of the committee of revision and unfinished business of the last session of the General Assembly, and the accompanying documents, relative to the impeachment against William Royce and Aaron Vandever, two justices of the peace in Washington county, reported, that it appeared to the committee upon examination, that William Royce has resigned his office, and removed out of the county of Washington, and that the charges stated in the complaint of Thomas Bentley, against the said Aaron Vandever, can be well supported by evidence, and that the said committee had directed him to submit the following resolutions:

1st. *Resolved*, That no farther proceedings be had against William Royce.

2d. *Resolved*, That a committee be appointed, to prepare and report articles of impeachment against Aaron Vandever, pursuant to said complaint:

In which report and resolutions, the House concurred—
And

Thereupon,

Messrs. Murdock, Prince, Dewey, Merrill and Thompson, were appointed said committee.

A message was received from the Senate by Mr. New, assistant secretary, announcing, that the Senate had passed A bill entitled, An act relative to costs & fee bills in this state, a bill, entitled, An act authorising the associate judges, to appoint a clerk pro tem. in certain cases, and the engrossed bill from this House, entitled, An act for the relief of Jeremiah Lockwood, with an amendment, and that the Senate had elected William W. Wick, assistant clerk to the Senate

And he withdrew.

And the bill relative to costs and fee bills, was read the first time—and

On motion,

Was referred to the select committee, who were heretofore appointed, to enquire into the expediency of amending the law regulating fees.

And the said bill authorising the associate judges to appoint a clerk, pro tem. was taken up and read, and ordered to be read a second time, on Monday next.

The amendment made by the Senate, to the bill from this House, entitled, An act for the relief of Jeremiah Lockwood, was taken up, and read and concurred in by the House.

Ordered, That the Senate be informed thereof.

Mr. Wallace from the select committee to whom was referred, the petition of John Regney and others, praying certain relief, reported a bill giving the relief prayed for, which was read and ordered to be read a second time on Monday next.

Mr. Lane from the committee for enrolled bills, reported, that the said committee had examined and compared, the engrossed with the enrolled bill, entitled, An act appropriating money for the payment of 20,000 dollars of the public debt.

A joint resolution for the benefit of the public printer—And

A joint resolution on the subject of public lands,

lying within the Terre Haute district, and had found the same truly enrolled :

Whereupon,

The Speaker signed the same.

Ordered. That the same be carried to the Senate, and the signature of the President requested thereto.

Mr. Murdock, having obtained leave, presented the petition of Sarah Powell and William Powell, praying to be divorced, which was read and laid on the table.

Mr. Reed from the committee to whom was referred, the bill authorising a transfer of prisoners in certain cases, reported, that the committee had according to order, had the said bill under consideration, & had directed him to report a substitute for said bill, which he handed in at the clerk's table, where it was read the first time, and ordered to be read a second time on Monday next.

Mr. Murdock from the committee to whom was referred the petition of Katharine Sellers, praying a divorce from her husband Nathan Sellers, reported a bill to divorce the said Katharine from the said Nathan Sellers, which was read the first time and ordered to be read a second time on Monday next.

Mr. Kimberly from the committee to whom was referred, the report and accompanying documents of the commissioners appointed to run the line

dividing the states of Indiana and Illinois reported, that the said committee had had that subject under consideration, and were of opinion, that the duties enjoined on the said commissioners, by the act approved the 8th of January, 1821, had been performed with great care and fidelity, and in order therefore the more fully to carry into effect the provisions of said act, the said committee recommended the adoption of a joint resolution which Mr. Kimberly handed in at the clerk's table, where it was read the first time, and ordered to be read a second time on Monday next.

Mr. Johnston, of Pike, having obtained leave, presented the petition of James McCutcheon, praying for a divorce from his wife, which was read and laid upon the table.

Mr. Tipton from the select committee to whom was referred, the petition of Joseph Powell and others, praying for a road to be located from Vernon to Indianapolis, by the way of Columbus, reported a bill to locate a permanent road from Vernon to Columbus, which was read the first time and ordered to be read a second time, on Monday next.

Mr. Maxwell, submitted the following resolution, which was read and laid on the table.

Resolved. That a committee of proposition and grievances be appointed as a standing committee by this House.

A message was received from the Senate by Mr. Blake, announcing, that the president of the Senate had signed a joint resolution on the subject of the public lands lying within the Terre Haut district :

An act appropriating money for the payment of the public debt.—And

A joint resolution for the benefit of the public printer.—And he withdrew:

On motion by Mr. Battell—

Resolved, That a committee be appointed, to examine into the expediency of a law, requiring proof before a justice for a divorce be received by this House, that the party against whom the divorce is prayed, had had notice of the application of the petitioner—And

Thereupon,

Messrs. Battell, Thompson, Green, Vandever and Holman were appointed said committee.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed a bill supplementary to an act, entitled An act authorising Rebecca Heth and Fielding M. Bradford, administrators of Harvy Heth, deceased, to sell and convey certain lots and for other purposes, in which they ask the concurrence of this House—

And then he withdrew.

And the said bill was read the first time and ordered to be read a second time on Monday next.

On motion by Mr. Reed—

Mr. Benfield was added to the committee to whom was referred, the petition of sundry citizens, praying for a state road from Levenworth to Terre Haut.

The Speaker laid before the House, the report of Beale Butler, trustee of the public seminary of Wayne county, from which it appears, that he has received since his last annual report, 66 dol-

lars and 11-1-2 cents of the funds belonging to the public seminary of said county, which being read, was laid on the table.

On motion by Mr. Clark—

Mr. Miller was added to the select committee, appointed to enquire, if any, and what amendments are necessary, to the law, regulating divorces.

The House proceeded to consider the orders of the day.

The bill appointing commissioners to relocate the seat of justice of Crawford county, was read the second time and committed to a committee of the whole House, and made the order of the day for Monday next.

The bill to amend the act directing the mode of proceeding in impeachments, was read the second time, committed to a committee of the whole House, and made the order of the day, for Monday next.

The bill to divorce Sally M. Mosely from Fielding G. Mosely—the bill to divorce John Campbell from Mary his wife, late Mary Gardner, and the bill divorcing Josephus Collett from Elizabeth his wife, late Elizabeth Tiffin, were taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for Monday next.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, authorising the writ of replevin in certain

cases, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Johnston of Knox reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments.

Ordered, That the said bill be engrossed, and read a third time on Monday next.

The House according to order, now resolved itself into a committee of the whole, on the bill attaching part of the county of Switzerland to the county of Ripley, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beckes reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, asked leave to sit again, which leave was not granted—And

On motion by Mr. Merrill—

Said bill was referred to a select committee of Messrs. Bentley, Powell, Kimberly, Arion, Cauby, Chamberlin, Ferris and Lane, to consider and report thereon.

And the House adjourned till 3 o'clock, P. M.

The House met pursuant to adjournment.

The engrossed bill from the Senate, entitled, an act supplementary to the act, for the formation of a new county

north of Vigo county, was read the third time and passed,
Ordered, That the Senate be informed thereof.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, to prevent the misapplication of money by officers of justice, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ray reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some amendments to the same, in which amendments he asked the concurrence of the House, which amendments were read and concurred in, except the first amendment, which was made by striking out the word "imprisonment," in which amendment the House refused to concur.

On motion by Mr. Ferris—

The bill was further amended, by striking out that part of it which imposed a fine.

On motion of Mr. Battell—

The bill was further amended by adding the following provision: "Provided, That it shall be lawful for any lawyer or other officer, to retain in his hands, the fees which may be due him for collecting the money thus collected and demanded."

On motion by Mr. Beckes—

The bill was further amended, by adding the words, "collectors and treasurers of corporations."

Ordered, That the said bill be engrossed for a third reading on Monday next.

Mr. Reed obtained leave of absence on Monday next.

The House according to order, now resolved itself into a committee of the whole, on the bill to

encourage domestic manufactures, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Maxwell reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, directed him to ask leave to sit again.

On motion,
Leave was given.

Mr. Ray, having obtained leave, presented a supplemental petition of sundry citizens of Bartholomew and Delaware counties, praying for a new county to be formed out of said counties, which was read and referred to the select committee to whom was referred, the several petitions for new counties in the New Purchase.

And the House adjourned till Monday morning nine o'clock.

MONDAY MORNING, Dec. 3, 1821.

The House met pursuant to adjournment.

Jeremiah Cox, a member from the county of Wayne and John Wright, a member from the county of Randolph, appeared, produced their credentials, were sworn and took their seats as members of this House.

Mr. Dewey from the select committee, appointed to enquire, if any, and what amendments are necessary, to the several acts for opening and repairing public roads and highways, reported a bill to amend the several acts, for opening and repairing public roads and highways, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Lane from the committee for enrolled bills reported, that the said committee did on this day, present to his Excellency the Governor for his approbation and signature, the enrolled bill entitled, "an act to appropriate money for the payment of the public debt, and a joint resolution for the benefit of the public printer."

Mr. Johnston of Knox, having obtained leave, introduced a bill to legalize the proceedings of the board of county commissioners of Vigo county, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Battell having obtained leave, introduced a bill to amend the act, pointing out the duties of recorder, and prescribing the mode of conveying real estate, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Thompson submitted the following resolution :

Resolved, That the committee of ways and means be instructed, to prepare and lay before this House, a revenue bill on the principle of *ad valorem*.

On motion,

The said resolution was committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion,

The certificates of election of Messrs. Holman, Wright of Randolph, Cox, Waldo and Dixon, were referred to the committee of elections.

On motion by Mr. Johnston of Knox—

Resolved, That a committee be appointed, to take into consideration, the propriety of laying off the state, at this time, into Congressional districts, and that they report by bill or otherwise—And

Thereupon,

Messrs. Johnston of Knox, Lane, Thompson, Arion and Tipton, were appointed said committee.

On motion by Mr. Shelby—

Resolved, That a committee be appointed, to enquire into the expediency, of attaching to Park county, civil and criminal jurisdiction throughout that part of Wabash county, lying west of the range line, dividing 5 and 6 west of the second principal meridian, with leave to report by bill or otherwise.

Mr. Bentley from the select committee, to whom was referred, the bill attaching part of the county of Switzerland to the county of Ripley; reported, that the said committee had had the said bill under consideration, and had directed him to report the said bill without amendment.

On motion of Mr. Thompson—

The said bill was ordered to lie on the table.

Mr. Tipton introduced a joint resolution, to change the place of holding the election in Harrison township, in Harrison county, which was read the first and second time, (the rule being dispensed with) and ordered to be engrossed for a third reading to-day.

Mr. Merrill having obtained leave, introduced the petition of Stephen Whitaker and others, praying a road from Lawrenceburgh to Madison, by the way of the Rising Sun and Vevay, which was

read and referred to a select committee of messrs. Merrill, Powell and Arion, with leave to report thereon by bill or otherwise.

Mr. Ferris from the committee to whom was referred, the bill to authorise qualified electors, to elect township officers, and the petition of sundry citizens of Knox county, on that subject, reported, that the said committee had had the said bill and petition under consideration, and had directed him to report said bill with some amendments, which bill as amended, he handed in at the clerk's table, where it was read and the amendments concurred in—and the said bill is ordered to be committed to a committee of the whole House, and made the order of the day for to-morrow.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate entitled, An act to authorise the associate judges to appoint a clerk pro tem. was read the second time, and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, entitled an act, supplementary to an act entitled, An act authorising Rebecca Heth and Fielding M. Bradford, administrators of Harvey Heth, deceased, to sell and convey certain lots, and for other purposes, was read the second time, and ordered to be read a third time to-morrow.

The bill to authorise a loan for the benefit of the state, was read the second time, and committed to a committee of the whole House, and made the order of the day for Thursday next.

The bill to appoint guardians for certain minors, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to authorise a transfer of prisoners, was read the second time, and committed to a committee of the whole House, and made the order of the day for Wednesday next.

The bill divorcing Catharine Sellers from her late husband Nathan Sellers, was read the second time, and committed to a committee of the whole House for to-morrow.

The joint resolution, confirming the boundary line between the states of Indiana and Illinois, was read the second time, and ordered to be engrossed for a third reading to-morrow.

The bill authorising a state road from Vernon to Columbus, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The House according to order, resolved itself into a committee of the whole, to consider the bill, to divorce Liman Beeman from his wife, late Sally Melott, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Murdock reported, that the committee of the whole had according to order, had the said bill under consideration, and had gone through the same, and had directed him to report the same without amendment.

Ordered, That the said bill be engrossed for a third reading to-morrow.

The House now according to order, resolved itself into a committee of the whole, to consider the bill, to divorce Sally M. Mosely, from her husband Fielding G. Mosely, the bill divorcing John Campbell from his wife Mary Campbell, late Mary Gardner—And

The bill to divorce Josephus Collett from his wife Elizabeth, late Elizabeth Tiffin, Mr. Lane in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lane reported, that the committee of the whole had according to order, had the said bill under consideration, and had amended the two former, by striking them out from the enacting clause, and had directed him to report the latter without amendment, in which amendments and report, he asked the concurrence of the House :

On motion,

The House concurred in the said report and amendments.

On motion,

The further consideration of the bill, divorcing Sally M. Mosely from her husband Fielding G. Mosely—And

The bill divorcing John Campbell from his wife Mary Campbell, late Mary Gardner, was indefinitely postponed.

On motion of Mr. Dewey —

The bill divorcing Josephus Collet from his wife Elizabeth, late Elizabeth Tiffin, was ordered to be engrossed and read a third time on to-morrow.

And the House adjourned till 2 o'clock.

House met pursuant to adjournment.

The engrossed joint resolution, changing the place of holding the election in Harrison township in Harrison county, was read the third time and passed.

Ordered, That the same be carried to the Senate, and their concurrence therein requested.

The engrossed bill to amend the act, entitled, An act organizing Circuit courts and for other purposes, was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The bill to prevent the misapplication of money by officers of justice, was read the third time; and on the question, Shall this bill pass? It was decided in the negative.

And the Yeas and Nays being demanded by messrs. Johnston of Knox and Thompson, the votes were as follows:

In the affirmative,

Messrs. Battoll, Messrs. Merrill,

Beckes,	Miller,
Chamberlin,	Murdock,
Dewey,	Shelby
Ferris,	Tipton,
Green,	Vandever and
Johnson, of Pike,	Mr. Speaker—14

In the negative,

Messrs. Arion,	Messrs. Lane,
Benefield,	Lindsey,
Bentley,	Maxwell,
Braman,	Milroy,
Cox,	Powell,
Crisler,	Prince,
Dixon,	Ray,
Donaghe,	Thompson,
Helman,	Wallace,
Johnston, of Knox,	Wright of R.
Kimberly,	Wright of W. and
Kirkpatrick,	Waldo—24.

The House according to order, resolved itself into a committee of the whole, to consider the bill, for the relief of James Besse and John Eastburn. Mr. Ferris in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Ferris reported, that the committee of the whole had according to order, had the said bill under consideration, and had made one amendment thereto, in which amendment he was directed to ask the concurrence of the House.

On motion—

The House concurred in said amendment.

On motion—

Ordered, That said bill be engrossed and read a third time to-morrow.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the joint resolution from this House, changing the place of holding the election in Harrison township in Harrison county, with an amendment, in which he asked the concurrence of this House.

And he withdrew.

And the House adjourned till to morrow morning 9 o'clock.

Tuesday morning, Dec. 4, 1821.

House met pursuant to adjournment.

Mr. Powell from the select committee appointed to enquire if any, and what amendments are necessary, to the act for the relief of the poor, reported a bill to amend the act, for the relief of the poor, which was read the first time and ordered to be read a second time to-morrow.

Mr. Murdock from the committee on the three per cent fund, reported a bill preparatory to the appropriation of the three per cent fund, which was read the first time, and ordered to be read a second time to-morrow.

On motion of Mr. Miller—

Resolved, That the judiciary committee be instructed, to enquire into the propriety of having six jurors only to try causes in magistrates' courts.

Mr. Braman from the select committee, to whom was referred, the petition of William H. Ewing, praying certain relief, reported a bill giving the relief prayed for, which was read the first time, and ordered to be read a second time to-morrow.

On motion—

The House concurred in the amendment made by the Senate, to the joint resolution of this House, changing the place of holding the election in Harrison township in Harrison county.

Ordered, That the Senate be informed thereof.

Mr. Tipton from the committee on military affairs, reported a bill for the better regulation of the militia of the state of Indiana, which was read the first and second times, (the rule being dispensed with) and committed to a committee of the whole House, and made the order of the day for to-morrow.

A message was received from the Senate by Mr. Harrison, announcing, that the Senate had passed an engrossed bill entitled, An act requiring certain officers to give further security, when the original shall remove, become insolvent or insufficient:

And a joint resolution for the relief of Elias P. Fordham ——— in which bill and resolution, they ask the concurrence of the House of Representatives—

And he withdrew.

And the said bill and resolution were taken up, and severally read and passed to a second reading on to-morrow.

And the House adjourned till two o'clock, P. M.

The House met pursuant to adjournment.

A message was received from the Senate by Mr. Cotton, announcing that the Senate had passed an engrossed bill, to repeal an act, authorizing the Governor to appoint two justices of the peace at Indianapolis, in which they ask the concurrence of the House of Representatives:

And he withdrew:

And the said bill was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Governor by Mr. Moore, his private Secretary, announcing that he did on Saturday last, approve and sign, an act entitled, "An act, to appropriate money for the payment of the public debt, and a joint resolution for the benefit of the public printer, both of which originated in this House.

The House proceeded to consider the orders of the day.

The bill to amend the acts for opening and repairing public roads and highways, and the bill to amend the act, defining and regulating the duties of recorder, and pointing out the mode of conveying real estate, were taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill legalizing the proceedings of the board of county commissioners of the county of Vigo, was read the second time, and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill from the Senate, entitled, An act authorising the associate judges to appoint a clerk pro tem, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, entitled an act, supplementary to the act, entitled an act, authorising Rebecca Faith and Fielding M. Bradford, administrators of Harvey Faith, deceased, to sell and convey certain lots and for other purposes, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed joint resolution, confirming the boundary line between the states of Indiana and Illinois was read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

The engrossed bill divorcing Josephus Collett and Elizabeth his wife, late Elizabeth Tiffin, was read the third time and passed; and on the question, Shall this bill pass? the Y es and Nays being demanded by Messrs. Kimberly and Arion, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Battell,	Lane,
Beckes,	Lindsey,
Benefield,	Merrill,
Bentley,	Miller,
Chamserlin,	Milroy,
Dewey,	Powell,
Dixon,	Prince,
Farris,	Ray,
Green,	Reed,
Johston, of Knox,	Tipton and
Johnson, of Pike,	Waldo—22.

And those in the Negative were,

Messrs. Arion,	Kimberly,
Braman,	Maxwell,
Clark,	Shelby,
Cox,	Thompson,
Crisler,	Vandever,
Donaghe,	Wright of W.
Bohman,	Wright of R. and
Kirkpatrick,	Mr. Speaker—16.

Ordered, That said bill be entitled an act

Ordered. That the Senate be informed thereof, and their concurrence therein requested.

The bill to divorce Liman Beeman from his wife Sally Beeman, late Sally Melott, was read the third time; and on the question, Shall this bill pass? It was decided in the negative.

And the Yeas and Nays being demanded by Messrs. Shelby and Kimberly, the votes were as follows: Yeas 18.—Nays 25.

Those who voted in the affirmative were,

Messrs. Battell,	Lane,
Bentley,	Miller,
Benefield,	Powell,
Chamberlin,	Ray,
Dewey,	Reed,
Dixon,	Thompson,
Johnston of Knox,	Tipton and
Johnson of Pike,	Waldo—16.

And those in the negative were,

Messrs. Arion,	Lindsey,
Beckes,	Maxwell,
Braman,	Merill,
Clark,	Milroy,
Cox,	Pence,
Crisler,	Shelby,
Donaghe,	Vandever,
Ferris,	Waltsee,
Green,	Wright of R.
Holman,	Wright of W. and
Kimberly,	Mr. Speaker—25.
Kirkpatrick,	

The bill for the relief of Jan s Besse and John Eastburn, was read the third time and passed.

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof, and their concurrence therein requested.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, authorising a stay of process in certain cases, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Reed reported, that the committee of the whole had according to order, had the said bill under consideration and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

On motion—

Said leave was given.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, for the purpose of establishing a permanent system of statute laws of this state, Mr. Kimberly in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kimberly reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House—which amendments he handed in at the clerk's table, where they were read and concurred in by the House.

Mr. Thompson then moved to amend said bill, by striking out of the second section thereof, these words: "alter, amend, abridge, enlarge and model the statute laws of this state, so as to produce a comprehensive and systematic code, best fitted in his opinion, to subserve the public interest and happiness"—and insert in lieu thereof, the following words: "the statute laws of this state, so as to bring the several acts now in force on the same subject, into one act, and cor-

rect the language in which the present laws now exist, if necessary, so that the revision may have the effect intended by the present laws; and on the question, Shall the bill be so amended? It was decided in the negative.

And the Yeas and Nays being demanded by Messrs. Thompson and Wright, the votes were as follows: Yeas 8.—Nays 30.

Those who voted in the affirmative were,

Messrs. Dixon,	Reed,
Mitroy,	Thompson,
Powell,	Wright of W. and
Ray,	Mr. Speaker—8.

And those in the negative were,

Messrs. Aron,	Kimberly,
Battell,	Kirkpatrick,
Beckes,	Lane,
Benfield,	Lindsey,
Braman,	Maxwell,
Clark,	Merrill,
Cox,	Miller,
Crisler,	Murdock,
Dewey,	Prince,
Donaghe,	Shelby,
Ferris,	Tipton,
Green,	Vandever,
Holman,	Waldo,
Johnston of Knox,	Wallace and
Johnson of Pike,	Wright of R.

Mr. Tipton then moved to amend said bill by striking out the words, "one thousand," (in that part which provides for a compensation to the revisor of the laws) and to insert in lieu thereof the words "seven hundred and fifty."

A decision of the question being called for, the question was then put, Shall the bill be amended by striking out the words, one thousand, which was carried in the affirmative.

And the House adjourned till to-morrow morning 9 o'clock.

WEDNESDAY MORNING, Dec. 5, 1821.

The House met pursuant to adjournment.

Mr. Maxwell presented the petition of Du'ley C. Smith, and others, of Monroe county, praying certain relief, which was read and referred to the committee on the Judiciary, with leave to report thereon by bill or otherwise.

The House proceeded to consider the resolution heretofore submitted by Mr. Maxwell, (which was read and laid on the table,) for the appointment of a committee of propositions and grievances, as a standing committee of this House—And

On motion,

The said resolution was adopted—And

Thereupon,

Messrs. Maxwell, Murdock, Dewey, Holman, Lane, Cox, Benfield, Mitroy, Beckes, Miller, Powell, Kimberly and Johnston of Pike, were appointed said committee.

Mr. Miller presented the petition of David Hoop, praying certain relief, which was read and referred to the committee of propositions and grievances, with leave to report thereon by bill or otherwise.

Mr. Battell, from the committee to whom was referred, the resolution, on the subject of petitioners for divorces, reported, that the committee had had the subject under consideration, and had directed him to report a bill, regulating petitions for divorces, which bill he handed in at the clerk's table, where it was read the first time, and passed to a second reading on to-morrow.

Mr. Holman presented the petition of C. Conway and others of Randolph county, praying certain relief; James M'Cool of said county, which was read and referred to the

committee of propositions and grievances, with leave to consider and report thereon.

Mr. Tipton from the committee to whom was referred, the several petitions for new counties in the New Purchase, reported a bill for the formation of a new county out of the county of Delaware, which was read the first time and ordered to be read a second time on to-morrow.

The Speaker laid before the House, the report of Isaac Naylor, trustee of the public seminary of Clark county, from which it appears, he has received since his last annual report, the sum of nineteen dollars and twenty-five cents, of the funds belonging to the public seminary of said county.

The Speaker laid before the House, the report of John Perriek, trustee of the public seminary of Orange county, from which it appears, that the whole amount which he has received is five hundred and twenty-one dollars and seventy-five cents, of the funds belonging to the public seminary of said county.

Mr. Beckes having obtained leave, introduced a bill, to repeal a joint resolution of the General Assembly of the state of Indiana, approved January 22d, 1821, which was read the first time, and passed to a second reading on to-morrow.

Mr. Wright from the committee to whom was referred, the engrossed bill from the Senate, regulating costs and fee bills, reported said bill without amendment, which bill was ordered to be read a second time to-morrow.

The House proceeded to consider the bill, for the purpose of establishing a permanent system of statute laws, in this state.

On motion by Mr. Arion—

The House reconsidered the vote taken yesterday, on the amendment proposed by Mr. Tipton, to strike out the

words, "one thousand dollars," and the question was then put, Shall the bill be so amended? Which was decided in the negative.

Mr. Milroy then moved to amend the said bill by striking out the second section thereof from the word "revise" to the end of said section, inclusive, and insert in lieu thereof the following words: "shall compile and bring in a view, all laws and parts of laws, altering, if necessary, the style and phraseology, not the substance, and rendering a general consistency, in all laws and parts of laws, and no end to be thereto."

And on the question, Shall the bill be so amended? It was decided in the negative.

And the Yeas and Nays, being demanded by Messrs. Thompson and Milroy, the votes were as follows: Yeas 20. Nays 21.

Those who voted in the affirmative were,

Messrs. Bentley,	Milroy,
Chamberlin,	Powell,
Clark,	Ray,
Cox,	Reed,
Dixon,	Stelby,
Donaghe,	Thompson,
Holman,	Vandever,
Johnson, of Pike,	Wright of W.
Kirkpatrick,	Wright of R. and
Lindsey,	Mr. Speaker—20.

And those in the Negative were,

Messrs. Arion,	Kimberly,
Battell,	Lane,
Beckes,	Maxwell,
Benefield,	Merrill,
Brannon,	Miller,
Canby,	Murdock,
Crisler,	Prince,
Dewey,	Tipton,
Ferris,	Wallace and
Green,	Waldo—21.
Johnston, of Knox,	

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the bill from this House, entitled, An act divorcing Peggy Harnis from her husband Michael Harnis, with an amendment, in which they desire the concurrence of the House of Representatives.

And he withdrew.

And the said amendment was taken up and read, and concurred in by this House.

Ordered, That the Senate be informed thereof.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, to amend the act, entitled an act, to reduce into one, all acts and parts of acts now in force in this state, regulating proceedings in actions at law and suits in chancery, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Canby reported, that the committee of the whole had according to order, had the said bill under consideration, and had made several amendments thereto, in which amendments he was directed to ask the concurrence of the House.

On motion,

The House concurred in said amendments, generally.

Ordered, That said bill be engrossed for a third reading on to-morrow.

And then the House adjourned until 2 o'clock, P. M.

House met pursuant to adjournment.

The bill for the relief of William H. Ewing, was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill preparatory to the appropriation of the three per cent. fund.

The bill to amend the act, entitled, an act for the relief of the poor.

The engrossed bill from the Senate, repealing the act, authorising the Governor to appoint justices of the peace at Indianapolis.

The engrossed joint resolution from the Senate, for the relief of Elias P. Fordham, and the engrossed bill from the Senate, requiring certain public officers to give further security in certain cases, where the original shall remove, become insolvent or insufficient, were taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, to amend the act entitled, an act locating certain permanent roads therein named, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chamberlin reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments.

On motion,

The said bill was recommitted to a committee of the whole House, and made the order of the day for to-morrow.

The House according to order, now resolved itself into a committee of the whole, on the bill to encourage domestic manufactures, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wright of Washington reported, that the committee of the whole had according to or-

Gen. had the said bill under consideration, and had made some amendments to the same in which he asked the concurrence of the House—which amendments were severally read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

A message was received from the Senate by Mr. New, their assistant secretary, announcing that the Senate had passed the engrossed bill from this House, entitled an act supplemental to an act, organizing Circuit Courts and for other purposes, approved January 24th, 1818, without amendment.

A message was received from the Senate by Mr. Blake, announcing that the Senate had passed the engrossed bill entitled, An act divorcing Josephus Collett, from Elizabeth his wife, which originated in this House, with an amendment; and an engrossed bill relating to the navigation of the river Wabash, in which they requested the concurrence of the House of Representatives.

And he withdrew.

And the said bill was taken up, read the first time, and ordered to be read a second time to-morrow.

And the House adjourned until to-morrow morning nine o'clock.

THURSDAY MORNING, Dec. 6, 1821.

House met pursuant to adjournment.

Messrs. Caswell, Todd and Welsh, from the committee appointed by the last General Assembly, to prepare a bill, providing for a regular system of education, now made the following report:

The committee appointed by a joint resolution of both Houses of the General Assembly of the state of Indiana, to draft and report, at the present session, "A bill providing for a general system of Education, ascending in a regular gradation, from Township Schools to a State Seminary, wherein tuition shall be gratis, and equally open to all; respectfully beg leave to report, that they have had the subject under consideration—and fully reciprocating the sentiments expressed by the General Assembly, as to the importance of a general diffusion of learning and knowledge among the rising generation, particularly in a government, which, like ours, is bottomed upon *public opinion*, and where intelligence and virtue are the strong safeguards of the Republic; have given it all the attention which time and their various avocations would permit.

Your Committee have to request, that owing to the sickness and death of part of their number, and the non-attendance of others, they have not only been deprived of the benefits anticipated from the well known talents and learning of those with whom they had the honor to be associated; but those circumstances have put it out of the power of your Committee sooner to convene, that a greater portion of time, since the last session of

the General Assembly, might have been devoted to the important duties enjoined upon them by the resolution. Although by the resolution of your honorable body, your committee were only instructed to report a bill providing for a general system of education, yet they have deemed the subject of sufficient importance to justify a brief report, shewing the grounds of calculation upon which, a bill when reported, may eventually rest.

The donations made by the Congress of the United States, for the benefit of Schools and a State University (although not without a consideration given on the part of the state, by a relinquishment of the right of taxation for a limited time) are liberal in the extreme; and the Union collectively, although they cannot control, have an indirect interest in their final appropriation. It is believed by your committee, that if a proper disposition be made of those donations, a permanent fund may be created, sufficient in amount not only to disseminate the general and more necessary branches of education in the several townships, but also to furnish such endowments to an university, as with some assistance will enable this state to occupy, in a literary point of view, a highly respectable standing. But this, in the opinion of your committee, cannot be expected immediately. High attainments in literature, are not the results of a moment; but like all other improve-

ments, must be gradual and progressive. Your committee are deeply impressed with the importance of the *first step* which may be taken towards the accomplishment of the grand design. Should a hasty and improvident disposition be made of those funds, your committee are well aware, that the error may be fatal; and that the grants of the General Government, so beneficial in their object and so liberal in their amount, will be rendered unavailing; thereby destroying the brightest prospects, not only of the present generation, but those which are to come after us. Under this view of the subject, your committee cannot but feel, that they are travelling over consecrated ground; and they do not mean it as a common place remark, when they say that it is with diffidence they suggest a course of measures, which, if finally adopted by the Legislature, must be pregnant with such important consequences.

Your committee have been induced to lay before the General Assembly, the result of their deliberations, so far as they have progressed, that the committee on the subject of education, may be as early as possible in possession of the facts and calculations upon which they may be called to report, and which shew the foundation of the systems which have heretofore been adopted by older states.

The state of Indiana is estimated by your committee, to contain twenty two millions three hundred and twelve thousand nine hundred and sixty acres, including land and water.

From this amount, your committee have made the following deductions:

For that part of the state covered by the waters of Lake Michigan,	acres. 96,000
For those lands embraced by Clark's rant,	149,000
For Reservation in Knox and other counties,	30,420
For lands reserved for the use of the university,	46,080
Total amount of deduction,	417,500
Amount of the whole area,	22,312,960
Amount of deduction,	417,500
	<hr/> 21,895,460

From which aggregate amount, one thirty-sixth part is to be taken as lands appropriated for the use of schools, amounting to six hundred and eight thousand two hundred and seven acres.

These lands, or part of them, your committee would recommend, should be put in market as soon as practicable; and the situation of the country will justify the measure.

The following table will show what may be realized by such sale, at the relative prices of one dollar and twenty-five cents to five dollars per acre, provided the whole amount should be put in market, and can be sold:

Amount of sales at \$1,25	\$ 760,258 90
Do. at 1,50	912,310
Do. at 1,75	1,064,362
Do. at 2,00	1,216,444
Do. at 2,25	1,368,465
Do. at 2,50	1,520,517
Do. at 2,75	1,672,569
Do. at 3,00	1,824,621
Do. at 3,25	1,976,672
Do. at 3,50	2,128,724
Do. at 3,75	2,280,776
Do. at 4,00	2,432,828
Do. at 4,25	2,584,879
Do. at 4,50	2,736,931
Do. at 4,75	2,888,983
Do. at 5,00	3,041,035

For the purpose of facilitating the sale of the aforesaid lands, your committee would recommend the establishment of one or more Land Offices, at the discretion of the General Assembly, to be placed at such points as they may think most advantageous,

Whether these lands shall be sold for cash in hand, or upon credit, payable by instalments, your committee find some difficulty in determining.—In favor of a sale for cash in hand, it may be urged, that if the proceeds of the sales are funded, together with the interest at the expiration of each year, that the accumulation will be greater than can be realized from the extra price for which it is supposed the lands will sell, should a credit be allowed. Your committee, however, are inclined to think, that considering the present embarrassed state of the circulating medium of

the country, the scarcity of the precious metals, and the great amount of land now in market, that greater inducements will be held out to purchasers, should the lands be sold on a credit of four years, payable by instalments, according to the system heretofore adopted by the United States; and that the lands will command a price of more than sufficient to balance such accumulation.— But whether the accumulation of a debt existing between the government and the people, and the consequent forfeitures which may be expected to follow such credits, are considerations sufficient to overbalance the difference in price, your committee will not attempt to determine. Should the lands be sold for prompt payment, and the proceeds, together with the annual interest, be put upon loan, the fund will rapidly encrease in amount, and the yearly dividends will consequently be greater.

The following table will shew the ratio of increase, from one to ten years, from the different prices, from one dollar and twenty-five cents to five dollars per acre.

*dollar twenty-five cents to five
ratio of each year.*

Price of Land.	Do. 5 years.	Do. 9 years.	Do. 10 years.
\$1 25	1,211,731	1,281,431	1,361,500
1 50	1,451,679	1,541,323	1,663,862
1 75	1,696,369	1,798,151	1,906,040
2 00	1,938,772	2,005,698	2,178,403
2 25	2,192,925	2,321,500	2,460,900
2 50	2,422,396	2,567,739	2,721,803
2 75	2,665,643	2,825,613	2,995,182
3 00	2,902,100	3,076,276	3,260,852
3 25	3,163,125	3,352,923	3,554,098
3 50	3,392,720	3,596,283	3,812,061
3 75	3,635,206	3,853,318	4,081,517
4 00	3,998,886	4,238,033	4,492,380
4 25	4,019,893	4,567,086	4,629,114
4 50	4,362,246	4,623,981	4,901,408
4 75	4,604,706	4,841,609	5,180,866
5 00	4,695,580	4,978,374	5,277,676

TABLE, showing the ratio of increase from one to ten years, at the different prices of one dollar twenty-five cents to five dollars per acre, upon the principle of funding the principal and interest at the expiration of each year.

Price of Land.	At the several prices of \$1.25 to \$5.00 per acre.	At the several prices of \$1.25 to \$5.00 per acre.	At the several prices of \$1.25 to \$5.00 per acre.	Do. 3 years.	Do. 4 years.	Do. 5 years.	Do. 6 years.	Do. 7 years.	Do. 8 years.	Do. 9 years.	Do. 10 years.
\$1 25	760,258	805,878	858 2 0	933,478	959,806	1,017,393	1,072,457	1,113,143	1,211,731	1,281,431	1,361,500
1 50	912,310	967,045	1,025,070	1,086,574	1,151,768	1,220,874	1,291,126	1,371,773	1,451,079	1,541,323	1,663,862
1 75	1,064,362	1,228,223	1,195,876	1,267,628	1,343,685	1,424,306	1,509,764	1,600,349	1,696,369	1,798,151	1,906,040
2 00	1,216,414	1,289,398	1,366,761	1,448,766	1,535,691	1,627,832	1,725,591	1,829,031	1,938,772	2,005,698	2,178,403
2 25	1,368,465	1,450,572	1,537,607	1,629,863	1,727,655	1,831,314	1,941,193	2,067,665	2,192,925	2,324,500	2,460,900
2 50	1,520,517	1,611,748	1,708,152	1,810,959	1,919,616	2,024,782	2,156,368	2,285,230	2,422,396	2,567,739	2,721,803
2 75	1,672,569	1,772,923	1,879,295	1,992,656	2,111,579	2,238,174	2,372,464	2,514,812	2,665,643	2,825,613	2,995,182
3 00	1,824,621	1,930,098	2,045,908	2,168,657	2,298,776	2,436,963	2,582,904	2,737,878	2,902,100	3,076,276	3,260,852
3 25	1,976,672	2,095,272	2,220,988	2,354,347	2,505,501	2,055,831	2,815,180	2,984,090	3,163,135	3,352,923	3,554,098
3 50	2,128,724	2,250,447	2,391,734	2,535,238	2,687,352	2,848,593	3,019,509	3,200,679	3,392,720	3,596,283	3,812,061
3 75	2,280,776	2,417,622	2,562,679	2,716,439	2,879,425	3,052,190	3,235,321	3,429,400	3,635,205	3,853,313	4,081,517
4 00	2,432,828	2,578,894	2,733,628	2,987,645	3,166,904	3,356,918	3,553,334	3,771,836	3,998,886	4,238,033	4,492,386
4 25	2,584,879	2,739,971	2,904,374	3,078,632	3,263,350	3,459,151	3,666,690	3,886,691	4,019,893	4,367,080	4,629,114
4 50	2,736,931	2,891,146	3,075,214	3,259,726	3,455,309	3,662,627	3,882,384	4,115,327	4,362,245	4,623,981	4,901,408
4 75	2,888,983	3,062,321	3,246,061	3,440,823	3,647,374	3,863,217	4,098,100	4,344,084	4,604,706	4,881,009	5,180,860
5 00	3,041,035	3,125,497	3,310,906	3,509,560	3,720,133	3,943,340	4,179,940	4,430,753	4,695,580	4,978,374	5,277,678

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This table, together with the other, may probably contain some errors, and in no instance have the fractional parts of a dollar been calculated; but they are supposed to be sufficiently correct to answer all the purposes for which they are intended.

Should the Legislature be disposed to fund the proceeds of the sales, it is believed by your committee, that at the expiration of six years, a sufficient dividend may be made to maintain a school in each school district, for the term of 3 months in each year, out of the public money alone.

Your committee are also of opinion, that a school for a shorter term than three months in each year, would not be calculated to promote the intended object, and that good teachers cannot be obtained without great difficulty, for a shorter term. To effect this object, your committee would recommend that so soon as any money shall be received upon such sales, or upon instalments which may become due from time to time, that the amount be loaned upon mortgages of real estate, in small sums, the interest to be paid annually, which interest also be funded in like manner, at the expiration of each year, having special regard that the debt be perfectly secured, upon such landed estates as have an undoubted title, the amount of which shall be sufficient to secure the state against all possible losses. But should the dividends be immediately made after the first year, without further increase, the following table will shew the number of townships in which schools are eventually to be organized, the number of

schools necessary, allowing nine square miles to each school district, the amount of dividend for the first year, at the relative prices; also the amount which may be divided, should the fund be permitted to accumulate for the term of six years.

Number of towns in which schools
are to be organized, 950

Allowing each school district to contain nine square miles, there will
be in the state 3,800 schools

The following table will show the amount of the annual dividend after the expiration of the first and sixth year, at the relative prices of \$1,25 to \$5,00 per acre.

Price of Land.		Dividend after 1st year.		at five years.
At \$1,25	Dividend for each district.	\$12,00	Dividend for each district.	17,02
1,50	"	14,40	"	20,43
1,75	"	16,80	"	23,84
2,00	"	19,20	"	27,25
2,25	"	21,60	"	30,66
2,50	"	24,00	"	34,07
2,75	"	26,40	"	37,48
3,00	"	28,80	"	40,89
3,25	"	31,20	"	44,30
3,50	"	33,60	"	47,71
3,75	"	36,00	"	51,12
4,00	"	38,40	"	54,53
4,25	"	40,80	"	57,94
4,50	"	43,20	"	61,35
4,75	"	45,60	"	64,76
5,00	"	48,00	"	68,17

It is impossible for your committee to determine the amount of money which may be raised by selling the lands upon credit and funding the instalments, as they become due; but it is presumed the amount will be less than upon a cash sale. The above calculations are made upon the supposition of a sale of the whole of the lands; but as the proportion of school lands is the same throughout the state; the dividend in each township will be the same, although no sales should be effected, but in a more settled part of the country.

In determining the number of schools which may be necessary throughout the state, your committee have allowed nine square miles to each district, which will give to each township four district schools.

If these are properly located, the extreme distance which any children will have to travel to attend school, will be but little more than one mile and one half. This calculation, it is presumed, will suit the present population of this state; but in the state of New-York, the law provides for the establishment of a school upon every four square miles, and if we allow to every quarter section of land, four children, between the ages of four and sixteen years, the number would be sixty four in every school district; a number sufficiently large, in the opinion of your committee, for advantageous improvement. Upon that calculation, nine school districts, instead of four, would be necessary in each township, which will consequently increase the number from three thousand eight hundred to eight thousand five hundred and fifty. It is the opinion of your committee, that the present population will not require a greater

number than four, and the change can be made whenever the situation of the country shall require it. Your committee would therefore recommend, that a school district be located and established upon every territory of land comprising nine square miles, whenever the population in such township and the situation of the school funds will justify it; the location to be made as nearly central within the district as may be.

Another system of rendering donation lands productive, has been adopted in many parts of the United States, which is that of leasing the lands, either permanently, or for a life or lives. But the same beneficial results have not been here as in Europe.

In England all lands are held by that kind of tenure, and the immense population of that country are not left to their choice of titles. The privileges attendant upon a fee simple interest, are not within the reach even of the wealthy; and although the existence of the people in a great measure depends upon a preservation of the timber and a proper cultivation of the soil, yet even there, the restrictions and forfeitures attendant upon those estates, are often considered burdensome and oppressive. If the sole object of the farmer were the accumulation of wealth, it will not be denied by your committee, that leases would be preferred; for it is believed that the individual who pays during his life the annual interest of five dollars per acre, by way of ground rent, pays a less sum than the purchaser, who advances his purchase money, although he should buy the land at a much less price than five dollars per acre. But the independence attached to a fee sim-

ple interest, it is hoped, will long be cherished by every freeman, as one of his dearest rights.

It is believed, by your committee, that the great mass of individuals, who would make good tenants, will prefer the allodium, and they cannot but be strongly impressed with a belief, that even permanent leases will not protect the property of the state from destruction, unless restrictions are imposed upon tenants, which might be considered incompatible with the principles of a free government. Should restrictions be imposed, much danger is to be apprehended in progress of time, from litigation and disputes, which may arise between the government and the people, should the system of leasing be adopted. If the tenants hold the lands without impeachment of waste, the experience of our sister states furnishes ground of fear, that after a few years, those tenants will find it convenient to quit the premises, not only leaving rent in arrear, but doing such damage to the lands, as will place it beyond the power of the state, either to sell or lease them for many years. This system of leasing is also more objectionable here than in many of the eastern and northern states.

In most parts of that country, the second growth of timber is more thrifty than the first, and lands which were cleared of timber in the year eighteen hundred, have now a sufficient growth upon them to answer all the common purposes of life. But your committee would enquire, whether the experience of this country as to the second growth of timber, will justify such an expectation, as it regards the greater portion of lands in this state.

As an answer to these objections, it may be urged, that the tide of emigration is steadily flowing

so the west, and that the future population of the state will justify the expectation, that tenants of a better class will soon be numerous. But it must be recollected, that the field for emigration is also immense, and that the tide will probably continue to roll on over the western wilds, until it reaches the Pacific Ocean; so that little change can be expected, until the long distant ebb shall return upon us a redundant population.

Your committee are however apprised, that many of your honorable body entertain different sentiments, as to the best method of rendering the school funds productive and have therefore prepared a table, shewing what amount may probably be realized, by selling the lands at auction to the highest bidder, the purchaser paying annually, the interest of the amount he shall bid for the land, also shewing the increase of that fund by a loan of the amount of interest, from year to year, for the term of six years.

Suppose the lands to be sold at \$3 50 per acre, the purchaser paying annually the interest of the amount of sale, the yearly amount to be paid for a quarter section would be twenty one cents per acre, which is equal to, \$36 60

Making for the whole, the gross sum of 127,723 00

If this sum together with the interest and the instalments, as they become due, from year to year, be funded for the term of six years; the whole amount will be 1,018,630 00

Interest of this sum one year is \$53,454

Annual sum to be added as income, 127,723

\$181,177

Making the sum, annually to be divided, 181,177 00

Amount of dividends, for each school, will be 47 67

Should the lands sell at 4 dollars per acre, the amount to be paid for a quarter section will be twenty-four cents per acre, equal to 38 40

Making for the whole, the gross sum of 145,969 00

If this sum together with the annual interest, and the instalments as they become due, from year to year, be funded for the term of six years, the whole amount will be

1,465 508 00

The amount to be divided at the end of six years, will be

297 081 00

Amount for each school district,

54 40

An order that a regular system of education may be adopted throughout this state, and that the public funds shall not be improperly appropriated; your committee would recommend, that a board of inspection be appointed, in each county wherein schools are to be established, whose duty it shall be, to examine the qualifications of all teachers, who may be offered by the trustees of the several school districts for employment, and shall give the person applying, a certificate of qualification, if they find his acquirements such as will justify such certificate, and that in no instance, the trustees of such school district be authorised to receive the dividends appropriated by law, for the payment of such teachers, unless the person by them employed, to teach such school, shall first have received such certificate. Your committee would further recommend, that it be made the duty of such inspectors, some or one of them, at least twice in each session, to visit and examine the several schools in their county, with a view of ascertaining the manner in which said schools are taught, and the improvements made in the several branches of education.

This course is suggested under a belief, that a public examination is calculated to excite vigilance in the instructors, and a spirit of emulation, among the youths under their charge.

Should strict attention be paid to the organization and improvement of township schools, they may become nurseries of teachers, for the wide extent of country yet to be settled.

Your committee would further suggest, that no person shall be considered as a competent teacher of such district school, unless he be of good moral character, and well versed in reading, writing, arithmetic, English Grammar, Geography and surveying.

Your committee have been more particular as to the qualifications of instructors, from a belief, that few persons will feel themselves able to educate their sons at the University, and your committee have considered the above qualifications as indispensable to a good English education.

The annual fund for the benefit of township schools, it is presumed, will not be more than sufficient to pay the instructors who must necessarily be employed, upon the system which has been suggested.

Towards the further accomplishments of the great object, your committee would recommend, that the qualified electors within the bounds of each school district, when organized for certain purposes, be a body politic and corporate, with power by their vote to levy and collect a sufficient tax, to erect suitable buildings for the purposes of a school, and also by their vote to levy and collect a tax sufficient to maintain a school in such district, for any portion of time in each year, which they may think proper, in aid of the general appropriation from the common fund.

Your committee are aware, that to compell the people of a district, to support a school against their will, might be considered an infringement of their natural rights, but if each school district is left at liberty to adopt or reject such tax, it cannot in the opinion of your committee, be considered either burthensome or oppressive.

As to the quality of buildings to be erected, and the time for which such schools shall be kept; they are left at liberty to determine, and of their comparative poverty or wealth, may be the sole judges.

Your committee would recommend, that the internal police and management of such schools, be intrusted (in addition to the board of inspection and instructor, as aforesaid,) to a suitable number of trustees, to be elected by the qualified electors in each district, who shall have power to employ teachers, furnish fuel and other necessaries for the school, and to exercise a general superintendence over the concerns of said district.

ON THE SUBJECT OF COUNTY SEMINARIES.

As to the monies arising from fines, forfeitures and commutations for military service, your committee beg leave to enquire, whether the laws upon those subjects may not need amendment, and would respectfully advise, that they be made as efficient as practicable, for ascertaining the correct amount, and for securing and collecting the monies annually.

The amount of these monies, either on hand or now due, your committee cannot, for want of sufficient data, with any precision conclusively state, but conjecture that the following estimates may not be far from correct:

From examinations had of the reports of agents for county seminaries, of twenty-six counties, for eighteen hundred and twenty, and including the previous years, the amount is stated at three thousand dollars, and for the year one thousand eight hundred and twenty one, from six counties, at two thousand and sixteen dollars, making an aggregate of five thousand and sixteen dollars, as now reported.

Your committee, however, feel pretty confident that, upon a more full and careful investigation of the subject, there will be found due to the state, a much larger sum.

With regard to the establishment of county academies, your committee beg leave to enquire, whether the following plan may not be expedient, viz. That your Honorable body should, by law, make it the duty of the several townships, in each county, to elect one trustee for each township, and resident therein, to be a member of the board of such academy, whenever the county funds for that purpose, will authorise the establishment of such an institution, and that as soon as there shall have been a regular and fair return made from each township, of the persons elected in it for a trustee, certified by the clerk and judges of the election, to the clerk of said county, whose duty it shall be to record the same, and the several trustees so elected shall have taken an oath, faithfully to discharge the duties of a trustee in such county academy, such board shall then be in law and in fact a body politic and corporate, either as it respects prosecution or defence, the acquisition or disposal of property, the choice of a teacher, or any other act, calculated to

promote the interest of such academy, and corresponding with the original laws and constitution of the state of Indiana on that subject.

Your committee would, however, further recommend, that such academies should always be subject to any constitutional alterations, which the legislature may from time to time see proper to make.

Your committee further beg leave to recommend, a sale of the college lands upon the same principles heretofore suggested, as to the lands reserved for the use of township schools, and the funding the proceeds in like manner.

It is believed by your committee, that five dollars per acre, be a fair price to establish as a medium for the whole, under this view they submit the following table, which will shew the amount of lands, so far as your committee have been able to ascertain them, the amount of money which may be realized on such sale, the yearly accumulation of the fund, and the total amount at the expiration of six years. In this calculation, the interest is added to the principal, and loaned at the expiration of each year.

NOTES UPON THE COLLEGE TOWNSHIPS.

Number of townships	2
Sections unsold,	64
Acres in 64 sections,	40,960
Money for 40,960 acres, sold at \$5, one fourth to be paid on the day of sale,	\$204,800
One fourth of \$204,800,	51,200
Interest on \$51,200, the 1st year, and to be added to it, making	57,528
Interest on \$57,528, the second year, and to be added to it, making	61,430
The second instalment of 51,200 at the end of the second year, and to be added to 61,430, and making	112,630

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Interest on \$12,630, for the 3d year, and to be added to it, together with the instalment due at the end of that year, - - - - - 179,587
 Interest for the 4th year on 179,587, and to be added to it, together with the instalment due at the end of that year, and making the total sum of - - - 322,022
 Interest on 232,022, the 5th year, and to be added to it, making at the end of that year the total sum of - - - 246,012
 Interest on the last amount at the end of the 6th year, and to be added to it, making a total sum of - - - 260,772

With regard to an University for the state, contemplated in the tax making provision for the promotion of *literature*, and the organization of such an institution, your committee recommend the passage of a law for establishing it, to be known by the name of the *University of Indiana*, and that a board of trustees be selected with great care, and appointed by law to superintend its interest.

Your committee think, that to appoint as great a number as are found composing the eastern boards, might not be advisable, and would for different reasons which might be assigned, tend rather to embarrass and retard the operations of such an institution, than give them facility.

Your committee would respectfully suggest the number of thirteen, besides the Governor and Lieut. Governor, who shall be trustees *ex officio*, a majority of whom having regularly met any time, shall form and be a quorum, for business; and that this board, constituted a body corporate and politic, should afterwards have authority to fill their own vacancies whenever they occur. That it should be the duty of this board, to appoint and manage all the interests of the institution, to select and employ a President, professors, tutors, a Librarian, Steward, &c.

Should the funds not be considerably increased, either by legislative aid or otherwise, beyond what a fair interest for

five or six years will make them; your committee are of opinion, that the most expedient plan as introductory to an *University*, will be to establish a *College* first: In that case, to make it respectable or indeed useful, it is respectfully suggested, that it will be necessary to place a President at the head of it, whose duty it shall be, besides exercising a general superintendency, to participate personally in giving instruction to the highest or first class in *College*, *Logic*, *Metaphysics*, *Moral Philosophy* and *Criticism*.—2d. A professor of *Mathematics* and *Natural Philosophy*.—3d. a professor of *Geography*, ancient and modern, and *astronomy*; as also, 4thly, a professor of the *Latin*, *Greek* and *Hebrew* languages, with one or more assistant tutors.

But should the funds be auspiciously managed and augmented, then and in that case, your committee take the liberty, prospectively, of submitting it as their opinion, that a variety of other additions, to the merely literary departments should also be made.

Should it therefore, in a pecuniary point of view be found practicable, your committee would further respectfully suggest, the propriety of adding a professorship in *Theology*, with one of the law: together with a *Medical School*, to be conducted by its proper Professor.

In this department of the *University*, your committee beg leave to recommend the following arrangement: 1st. *Classical* proper; 2d. one on the *matéria medica*, botany and natural history; 3d. one of chemistry; 4thly, one on physiology, anatomy and obstetrics, and 5thly, one of surgery.

The whole, both in the literary and other departments, forming a *Faculty*, and reciprocally aiding each other in preserving order, and giving dignity to the institution.

When the committee recommended these last variety of additions to the *College*, they are aware from their instructions, that a gratuitous education is intended by the legislature in the merely literary departments, and from the lowest of them in a common school, to the highest in an *Univer-*

In correspondence with this legislative intention, the committee have made their calculations for a term of years not exceeding six, when according to the estimates of the committee, the aggregate amount as will be seen from the tables, will be \$260 772. From this amount 60.772, may then safely be employed: say 40 000 dollars of it in erecting a building, and the balance 20.772 dollars, in obtaining a Library and a Philosophical and Chemical Apparatus, in such proportions of each as may then be found most expedient.

After this deduction is made, it will be seen, that there will remain as a permanent fund of dolls. 200.000, the annual interest amount of which is dolls. 12,000, which, allowing the President dolls. 2,000 per annum, and to Professors, each, dolls. 1,200, and to the two tutors, each, dolls. 600 00. The whole amount of expenditures on the teachers will amount to \$5,800, leaving a balance yearly, of five thousand two hundred dollars, for appropriation in whatever way may be deemed best.

The committee submit it to the consideration of the legislature, whether it might not be advisable to appropriate annually \$1,000 of the remaining \$5,200 to increase the library.

With regard to the internal police, in any of the public institutions, from the Academy to the University, your committee have thought it would be premature in them to suggest any thing on that subject.

All the laws and regulations customary and necessary in the different departments in the College or University, must naturally and with propriety grow out of the authority with which your honorable body may be pleased to clothe the board of trustees, and with the exception of the tutors, all the various grades of instruction of each of them.

Your committee having thus briefly stated the result of their deliberations upon the several subjects indirectly involved in the resolution of your honorable body, would respectfully inquire, whether the public good imperiously de-

mands that a further report should be made at the present session, or whether a vacation might not consistently be allowed your committee, or some one of them, or some other person to prepare a bill so tedious in detail as the organization of the different schools.

Your committee have preserved the materials which will greatly facilitate the drafting such bill, and wish to hold themselves subject to the will of your honorable body, but they humbly conceive, that until the General Assembly devise the means of rendering school funds productive, a bill organising schools, academies and universities, cannot be material.

Your committee would further suggest to your honorable body, that they have opened a communication with the heads of department of those states, where schools have been organized by public authority, as also with some of the most respectable literary institutions in the United States; from which sources they expect to receive such documents as will greatly facilitate the accomplishment of so desirable an object.

Those documents, together with the time which will be allowed for reflection and study, in the opinion of your committee are important, and ought not to be dispensed with, unless existing cause, not within the knowledge of your committee, render a different course necessary.

All of which is respectfully submitted.

DANIEL J. CASWELL,

Chairman of the Committee.

Which report was read and referred to the standing committee on education, with leave to report by bill or otherwise.

Mr. Mardock, from the committee appointed for that purpose, reported the following articles of impeachment against Aaron Vandever, a Justice of the Peace in Washington county.

A.

House of Representatives of the state of Indiana.

Articles of impeachment exhibited by the House of Representatives, in the name of themselves and the people of the state of Indiana, against Aaron Vandever, a Justice of the Peace in Posey township, in the county of Washington and state aforesaid.

Article 1st.

That the said Aaron Vandever, then and there being an acting Justice of the Peace for Posey township, in the county of Washington and state aforesaid, being duly elected, commissioned and qualified, as such Justice of the Peace for the township, county and state aforesaid; he the said Aaron Vandever living and residing therein, is and has been guilty of maladministration in his said office as Justice of the Peace, to wit, in the township, county and state aforesaid.

Specification 1st.

That the said Aaron Vandever, on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township, in the county of Washington and state of Indiana, while acting as such Justice, and under color of his said office, did wilfully and corruptly, and in violation of his duty as such Justice, cause to be arrested and brought before him the said Aaron Vandever, and one William Royce, by a certain Isaac Edwards, a constable in and for the township of Posey, in the county and state aforesaid, one Thomas Bentley, and while the said Thomas Bentley was so as aforesaid brought before the said Justices and under guard, and in presence of him the said Aaron

Vandever, he the said Aaron Vandever did cause and procure the said Thomas Bentley to be assaulted and beat by a certain David Sipes, to wit, in the township, county and state aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the state of Indiana.

Specification 2d.

That the said Aaron Vandever, Justice of the Peace as aforesaid, on the said fifteenth day of December, in the year one thousand eight hundred and twenty, at the township of Posey, in the county of Washington and state of Indiana, while acting as such Justice, by virtue of, and under color of his said office, did wilfully aid and abet the unlawful assaulting and beating the said Thomas Bentley, by the said David Sipes, against the form of the statute in such case made and provided, and against the peace and dignity of the state of Indiana.

Specification 3d.

That the said Aaron Vandever, Justice of the Peace as aforesaid, on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township, in the county of Washington and state of Indiana, he the said Aaron Vandever, by virtue of and under color of his said office, did, on the said fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at the township of Posey, in the county of Washington and state of Indiana, he the said Aaron Vandever, living and residing therein, did, on the said fifteenth day of December, in the year last aforesaid, wilfully and corruptly cause one Thomas Bentley to be arrested on a blank warrant and brought before him the said Aaron Vandever, and one William Royce, by a certain David Edwards, he the said David Edwards then and there being a constable of said township, under pretence of his (the said Thomas Bentley) having been guilty of the breach of some penal law of this state, against the will of him the said Thomas Bentley—in violation of his duty as Justice of the Peace, in contempt of

the constitution and laws, and against the peace and dignity of the state of Indiana.

Specification 4th.

That the said Aaron Vandever, on the said fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township, in the county of Washington and state of Indiana, then and still being an acting Justice of the Peace for the township and county aforesaid, in the state aforesaid, and resident in the township, county and state aforesaid, did, on the day and year aforesaid, at the township and county aforesaid, wilfully and corruptly aid and abet in causing one Thomas Bentley to be arrested on a blank warrant and brought before him the said Aaron Vandever, and one William Royce, as Justice of the Peace as aforesaid, under pretence of him the said Thomas Bentley, having been guilty of a breach of some penal law of this state, against the will of him the said Thomas Bentley, in violation of his duty as Justice of the Peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

Article 2d.

That the said Aaron Vandever, of Posey township, in the county of Washington and state of Indiana, then and there being an acting Justice of the Peace, in and for the township, county and state aforesaid, being duly elected, commissioned and qualified, as such Justice of the Peace, for the township, county and state aforesaid, and living and resident therein, is and has been guilty of misfeasance in his said office, as such Justice of the Peace, to wit, in the township, county and state aforesaid.

Specification 1st.

That the said Aaron Vandever, being a Justice of the Peace as aforesaid, on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at

Posey township, in the county of Washington and state of Indiana, and there and then resident in said township of Posey, when being called upon by one Thomas Bentley to interpose his authority as such Justice of the Peace for the township aforesaid, and prevent one David Sipes from assaulting and beating him the said Thomas Bentley—he the said Aaron Vandever being then and there present, as such Justice of the Peace, did wholly refuse to interpose his authority as such Justice of the Peace, and prevent the said Thomas Bentley from being assaulted and beaten as aforesaid, by the said David Sipes, but he the said Aaron Vandever did absent himself, and prevented others who were then and there present and willing to prevent the said Thomas Bentley from being assaulted and beaten as aforesaid, by the said David Sipes, from doing the same, contrary to his duty as such Justice of the Peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

Specification 2d.

That the said Aaron Vandever, being a Justice of the Peace as aforesaid, in the township and county aforesaid, duly elected, commissioned and qualified as such Justice of the Peace, wilfully and corruptly did aid, abet, assist and encourage one David Sipes and others, to assault and beat one Thomas Bentley, to wit, in Posey township, in the county and state aforesaid, in violation of his duty as such Justice, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

Which were read, and on motion of Mr. Johnston, of Knox—

Resolved, That the articles of impeachment now reported by the managers appointed on the part of this House, against Aaron Vandever, a Justice of the Peace of Washington county, be and the same are hereby approved of.

That the clerk of this House do make out a fair copy thereof, to be signed by the Speaker of this House, which shall forthwith be delivered to the said managers, who, in the name of this House and of all the good people of this state, appear before the Senate and impeach the said Vandever for maladministration in the duties of his office as such Justice of the Peace, and request of the Senate that they take immediate order thereon.

On motion of Mr. Johnston, of Knox—

Resolved, That the acknowledgments of this House be presented by Mr. Speaker, to the Reverend Doctors Welsh and Todd; and Daniel J. Caswell, Esq. for their extensive research, laborious investigation and lucid report now made to this House, on the highly important subject of Education.

On motion of Mr. Thompson—

Resolved, That the judiciary committee be instructed to prepare and lay before this House a bill authorizing Justices of the Peace, under proper restrictions, to take acknowledgments of judgments, which when confessed and docketed in the clerk's office of the proper county, shall be considered as judgments of record, and governed accordingly.

Mr. Powell, from the committee to whom was referred the several petitions for new counties in the New Purchase, reported a bill for the formation of a new county north of Bartholomew county, and also a bill for the formation of a new county north of Jennings county—which were severally read the first time and passed to a second reading on tomorrow.

Mr. Tipton, from the select committee to whom was referred the bill regulating persons of color in emigrating to this state, reported a substitute for said bill, which was read the first time, and on motion of Mr. Murdock, the further consideration of said bill was indefinitely postponed; and on the question of postponement, the Yeas and Nays being demanded by Messrs. Murdock and Tipton, the votes were as follows—Yeas 21, Nays 15—and those who voted in the affirmative were

Messrs. Arion,	Holman,
Bentley,	Kimberly,
Braman,	Lindsey,
Canby,	Maxwell,
Chamberlin,	Milroy,
Clark,	Murdock,
Cox,	Powell,
Crisler,	Prince,
Dewey,	Waldo,
Ferris,	Wright of R. and
	Wright of W.—21.

And those in the Negative were,

Messrs. Beckes,	Merill,
Benfield,	Ray,
Dixon,	Reed,
Donaghe,	Shelby
Green,	Tipton
Johnson, of Pike,	Vandever,
Kirkpatrick,	Wallace and
	Mr. Speaker—15.

A message was received from the Senate, by Mr. Blake, announcing that the Senate had passed the following resolution:—

Resolved, That the Senate do now form itself into a court of impeachment, for the trial of Curtis Gilbert, Clerk of Vigo Circuit Court, and that the House of Representatives be informed thereof.

Mr. Johnston, from the committee for enrolled bills, reported that the said committee had examined the enrolled bill entitled an act to divorce Peggy Harnis from her husband, Michael Harnis; an act for the relief of Jeremiah Lockwood; an

act supplementary to the act entitled an act for the formation of a new county north of Vigo county; an act authorising the Associate Judges to appoint a Clerk pro tem. in certain cases; and a joint resolution, changing the place of holding the election in Harrison township, in Harrison county—and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate, and the signature of their President be requested thereto.

Mr. Prince, from the judiciary committee, reported that the said committee had had under consideration the several acts repealing replevins, executions and sales of property, and had directed him to report a bill on that subject, which bill he handed in at the clerk's table, where it was read the first time—and the rule being dispensed with, the same was read a second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Tipton presented the petition of Samuel Lettell, praying certain relief therein named, which was read—And,

On motion,

Referred to the committee of ways and means.

Mr. Johnstone, of K. presented the petition of Gailaume Page and others, praying certain relief therein named, which was read—And,

On motion,

Referred to a select committee of Messrs. Johnstone, Beckes, Prince, Benefield and Reed, with leave to report by bill or otherwise.

Mr. Prince having obtained leave, presented the petition of John I. Neely and others, praying certain relief therein named, which was read—And,

On motion,

Referred to the committee on Education, with leave to report by bill or otherwise.

Mr. Clark presented the petition of James L. White and others, praying certain relief therein named, which was read and referred to the judiciary committee, with leave to report by bill or otherwise.

A communication was received from the Governor, by H. H. Moore, Esq. his private secretary, which was read, and is as follows:

*To the Senate and
House of Representatives,*

If the bonds executed to the Vincennes Bank shall have been assigned for the use of the treasury of the United States, the offer of payment which has been required to be made, will not, it is presumed, be accepted, on account of the funds with which the tender will be made, although in the notes of the Bank and her branches. Should on a circumstance take place, I have deemed it

my duty respectfully to submit to the General Assembly the propriety of making demand of payment at the Branch Banks or agencies where those notes are respectively made payable, and upon payment being refused, to present them again at the principal Bank, with a view to render the claim on the part of the state to a set off, as strong and unexceptionable as it is in her power to render it.

If such course be adopted, it is believed that the situation of the state, in relation to any supposed assignment of those bonds, will be left on doubtful grounds, while if it be pursued, the state will occupy the strongest ground attainable, by having done every thing necessary and avoiding the possibility of subjecting the state to a charge of neglect on her part.

This position is not inconsistent with a pacific and respectful deportment towards the General Government, while if the case shall hereafter become a subject matter of negotiation, it will be left unshackled with preliminary disquisitions, and stand as it should do, upon the law and equity which may arise out of the transaction itself. It will in such case only be necessary for the state to shew what has been done on her part, instead of being subjected, by adopting a different course, to the uncertainty of proving what the principal Bank and its branches shall or may have done.

In a case of so much importance, prudential measures are calculated to shield the state from responsibility that may otherwise accrue, while

the additional expenditure which would be requisite, will be only nominal in its amount.

Respectfully,

JONATHAN JENNINGS.

On motion—

The said communication was referred to the committee of ways and means.

A communication was also received from the Governor, by H. H. Moore, Esq. his private secretary, enclosing a report from the managers of the State Prison at Jeffersonville; which communication and report, after being read, were on motion, referred to the committee on the State Prison.

The House adjourned till 2 o'clock P. M.

The House met pursuant to adjournment.

On motion by Mr. Prince—

Resolved, That one hundred copies of the bill respecting replevins, executions and sales of property, be printed for the use of both Houses of the General Assembly, and that the clerk of the House of Representatives furnish the printer with a copy of said bill.

Mr. Prince presented the petition of John L. Neely, praying for a law to pass authorising a sale of the seminary lands in Gibson county, which was read, and on motion, referred to the committee on education.

The House proceeded to consider the order of the day.

The bill to encourage domestic manufactures was taken up, read the 3d time and passed, and on its final passage, the Yeas and Nays being demanded by Messrs. Thompson and Wright of Washington, the votes were as follows:

Those who voted in the affirmative were

Messrs. Beckes	Kimberly
Bentley	Lindsey
Braman	Maxwell
Cady	Merrill
Chamberlin	Miller
Clark	Milroy
Cox	Murdock
Crisler	Powell
Dewey	Prince
Dixon	Reed
Ferris	Tipton
Green	Vandever
Holman	Waldo
Johnston of K.	Wright of R. and Mr. Speaker—29.

In the negative were

Messrs. Arion	Ray
Battell	Shelby
Benefield	Thompson
Donaghe	Wallace and
Kirkpatrick	Wright of W.—10

Ordered, That the said bill be entitled an act, and the Senate be informed thereof, and their concurrence therein requested.

The bill from the Senate, relating to the navi-

gation of the river Wabash, was read the second time, and ordered to a third reading to-morrow.

The bill from the Senate, relative to costs and fee bills, was read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill regulating petitions for divorces in certain cases, and for other purposes, was read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill for the formation of a new county out of the county of Delaware, was read the second time and referred to a committee of the whole House, and made the order of the day for to-morrow.

The House now resolved itself into a committee of the whole, to consider the bill entitled an act supplemental to an act locating certain public roads therein named, and for other purposes—approved 9th of January, 1821; and after some time spent therein, Mr. Speaker resumed the chair.

Mr. Holman reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which amendments he was directed to ask the concurrence of the House.

Mr. Murdock moved that the 3d section of said bill be stricken out in the following words, to wit: "The commissioners heretofore appointed to lay out a road from Vevay to Versailles, are hereby

authorised to continue the same to the town of Napoleon," which motion was agreed to by the House.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Arion, from the select committee for that purpose, reported that the public printer had not made any arrangement with Armstrong Brandon for the printing of bills for the House of Representatives, and that they were unable to make any special contract with said Brandon for such printing.

The House, according to order, now resolved itself into a committee of the whole, to consider the bill to amend the act directing the mode of proceeding in cases of impeachment—Mr. Murdock in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Murdock reported that the said committee had, according to order, had the said bill under consideration, and had made an amendment thereto, in which amendment he was directed to ask the concurrence of the House.

On motion,
The House concurred in said amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next.

Mr. Johnston, of K. from the committee for enrolled bills, reported that they had presented to his Excellency the Governor, for his approbation

and signature, a joint resolution changing the place of holding the election in Harrison township, in the county of Harrison; an act for the relief of Jeremiah Lockwood, and an act to divorce Peggy Harnis from her husband, Michael Harnis.

The House adjourned until 9 o'clock to-morrow morning.

FRIDAY MORNING, Dec. 7th, 1821.

The House met pursuant to adjournment.

Mr. Johnston of Knox from the select committee to whom was referred, the prospectus and propositions of Smith and Bolton, for publishing under the sanction of the General Assembly, "The Indiana Justice and Farmers' Scrivener," reported, that the committee had according to order, had the said documents under consideration, and had given the subject that consideration which its importance seemed to demand, and recommended the adoption of the following resolution.

Resolved, That it is inexpedient at this time, to subscribe, on the part of the state, for any number of copies of the said work, in which report and resolution the House concurred.

Mr. Milroy having obtained leave, introduced a bill for the relief of Thomas Beezly which was read the first time, and the rule being dispensed with, the same was read a second time, and ordered to be engrossed for a third reading to-morrow.

Mr. Prince from the judiciary committee, reported a bill to amend the act entitled An act to reduce into one act all

acts and parts of acts now in force in this state, relative to crimes and punishments; which bill was read the first time, and ordered to be read a second time to-morrow.

Mr. Vandever presented the petition of John Ewing and others, of Posey county, praying that a part of said county may be attached to the county of Crawford, which was read and referred to a select committee of Messrs. Vandever, Green, Donaghe, Tipton and Kirkpatrick, with leave to report by bill or otherwise.

Mr. Wright of Washington, presented the petition of Jacob Horner and others, of Washington county, praying certain relief, which was read and referred to the committee on propositions and grievances.

Mr. Miller from the committee to whom was referred, the petition of Robert Gray and Reuben H. Murray, reported a bill for the relief of the said Reuben H. Murray and Robert Gray, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Prince from the committee on that subject, made the following report:

"The committee appointed to enquire into the expediency of so changing the law, regulating the duties of justices of the peace within this state, as to authorise them to summon a jury of six persons on any matter litigant before them, have had the same under consideration, and have given it all the attention its importance seemed to demand, and have directed me to report, that such a measure would be incompatible with the constitution of the United States and of this state, and contrary to the genius of a free people.

On motion,

The House concurred in said report.

Mr. Shelby from the committee on that subject, reported a bill attaching Wabash county to the counties adjoining thereto, for the purposes of civil and criminal jurisdiction, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Merrill, from the committee on education, reported, that the said committee had had under consideration, the resolution respecting an enquiry into the state of Seminary funds, and the propriety of abolishing the office of public Seminary, and had directed him to report in part by bill, which bill he handed in at the clerk's table, where it was read the first time, and ordered to be read a second time to-morrow.

Mr. Crisler having obtained leave, introduced a bill, repealing the act, adopting the Bank of Vincennes as the state bank of Indiana, which was read the first time, and ordered to be read second time to-morrow.

Mr. Tipton from the committee to whom was referred, the several petitions for new counties in the New Purchase, reported a bill for the formation of Clay county, out of the county of Delaware, which was read the first time, and the rule being dispensed with, the same was read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed an engrossed bill, amendatory to the act, entitled an act authorising the granting of letters testamentary and letters of administration, for the settlement of intestates' estates and for other purposes, in which they ask the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate by Mr. Blake, announcing that the Senate had passed the engrossed joint resolution, confirming the boundary line, between the states of Indiana and Illinois, without amendment—also, a joint resolution from this House, with an amendment—And a bill concerning lands, reserved for the use of Salt springs, in which they ask the concurrence of the House of Representatives.

And he withdrew.

And the said amendment to said resolution was read and concurred in by this House.

Ordered. That the Senate be informed thereof.

And the said bill concerning lands reserved for the use of Salt springs, was taken up, and read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Beckes—

Resolved, That the committee of ways and means be instructed to enquire into and report to this House, whether a state tax has been paid on Bank stock in this state, agreeably to a statute law of this state, approved January 21st, 1820, and that they report to this House, what banks are in arrears for said tax, if any.

A message was received from the Senate by Mr. Blake, announcing that the President of the Senate had signed the enrolled bill entitled an act, supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Harvey Heth deceased, to sell and convey certain lots and for other purposes.

On motion by Mr. Kimberly—

Resolved, That 300 copies of the report of the committee on the subject of education, be printed for the use of the House of Representatives.

A message was received from the Senate by Mr. New assistant Secretary, announcing that the Senate had passed the engrossed bill from this House, to amend the act, entitled an act prescribing the mode of changing the venue, without amendment.

And he withdrew.

The bill for the formation of a new county north of Bartholomew, and the bill for the formation of a new county north of Jennings county, were taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act relating to the navigation of the river Wabash, was read the third time—And

On motion by Mr. Johnston of Knox—

The same was committed to a committee of the whole House, and made the order of the day for Monday next.

The engrossed bill establishing a permanent system of statute laws in this state, was read the third time and passed. And on the question of its passage the yeas and nays being demanded by Messrs. Holman and Thompson, the votes were as follows: Yeas 28. Nays 10.

Those who voted in the affirmative were,

Messrs. Allen,	Johnston of Knox,
Battell,	Johnson of Pike
Beckes,	Kimberly,
Benefield,	Lindsey,
Bentley,	Maxwell,
Braman,	Merrill,
Canby,	Miller,
Clark,	Murdock,
Cox,	Prince,
Crisler,	Ray,
Dewey,	Reed,
Donaghe,	Shelby,
Ferris,	Wallace and
Green,	Wright of R.

And those in the negative were,

Messrs. Dixon,	Thompson,
Holman,	Tipton,
Kirkpatrick,	Vandever,
Milroy of L.	Wright of W. and
Powell,	Mr. Speaker.

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

The engrossed bill, legalizing the proceedings of the board of county commissioners of the county of Vigo, was read the third time and passed.

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

The engrossed bill to continue in force an act supplemental to an act, locating certain permanent roads therein named, was read the third time and passed.

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, authorising the qualified electors of each township to elect township officers, Mr. Braman in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman reported, that the committee had according to order, had the said bill under consideration, and had amended the same by striking it out from the enacting clause, in which amendment he asked the concurrence of the House.

And on the question of concurrence in said amendment, it was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Ferris and Murdock, the votes were as follows: Yeas 25. Nays 13.

Those who voted in the affirmative were,

Messrs. Arion,	Kimberly,
Battell,	Kirkpatrick,
Beckes,	Lindsey,
Braman,	Maxwell,
Canby,	Milroy, of L.
Clark,	Reed,
Cox,	Thompson,
Crisler,	Vandever,
Dewey,	Wallace,
Donaghe,	Wright of R.
Holman,	Wright of W. and
Johnston, of Knox,	Mr. Speaker,
Johnson, of Pike,	

Those who voted in the negative were,

Messrs. Bentley, Powell,
Chamberlin, Prince,
Dixon, Ray,
Ferris, Shelby
Green, Tipton, and
Merrill, Waldo.
Murdock,

And the House adjourned until 2 o'clock, P. M.

House met pursuant to adjournment.

The House proceeded to consider the bill, authorising the qualified electors in each township, to elect township officers.

Mr. Thompson moved, that the further consideration of said bill be postponed indefinitely, and on that question it was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Ferris and Murdock, the votes were as follows: Yeas 25.—
Nays 10.

Messrs. Arion,	Johnson, of Pike,
Battell,	Kimberly,
Beckes,	Kirkpatrick,
Braman,	Lindsey,
Canby,	Maxwell,
Clark,	Milroy,
Cox,	Reed,
Crisler,	Thompson,
Dixon,	Vandever,
Dewey,	Wallace,
Donaghy,	Wright of R.
Holman,	Wright of W. and
Johnston, of K.	Mr. Speaker.

And those in the Negative were,

Messrs. Ferris,	Powell,
Green,	Prince,
Merrill,	Ray,
Miller,	Shelby, and
Murdock,	Waldo,

The House according to order, now resolved itself into a committee of the whole, to consider the bill, appointing commissioners to relocate the seat of justice of Crawford county, Mr. Waldo in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Waldo reported, that the committee of the whole had according to order, had the said bill under consideration, and had made several amendments to the same, in which he asked the concurrence of the House.

On motion—

The House concurred in the same, generally.

On motion by Mr. Tipton—

The said bill was further amended, by adding a fourth section thereto.

Ordered, That said bill be engrossed for a third reading, on to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill authorising a transfer of prisoners in certain cases, Mr. Milroy in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Milroy reported, that the committee of the whole had according to order, had the said bill under consideration, and had made no amendment thereto, and had directed him to report the same without amendment.

Ordered, That said bill be engrossed for a third reading to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill appointing certain guardians, Mr. Bentley in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bentley reported, that the committee of the whole had according order, had the said bill under consideration, and had gone through the same, and having made no amendment to the said bill, directed him to report the same without amendment.

Ordered, That the said bill be engrossed for a third reading to-morrow.

A message was received from the Senate by Mr. Blake, announcing that the Senate had passed the following resolution :

Resolved, That process against Aaron Vandever, Esq. a justice of the peace of Washington county, and subpoenas for witnesses to support the impeachment against him, be immediately issued by the President of the Senate, returnable instant, in pursuance of the application of the House of Representatives, as this morning communicated, that blank subpoenas be sent to the impeached, to be used by him to secure the appearance of his witnesses, and also that the House of Representatives be informed thereof, and requested to transmit immediately to the Senate, a list of their managers and witnesses, to support, conduct and prosecute against said Vandever.

And he withdrew.

A message was received from the Senate by Mr. Gregory, announcing that the Senate had passed an engrossed bill entitled an act divorcing Polly Jenkins from her husband Josiah Jenkins, in which they desire the concurrence of the House of Representatives.

And then he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, to divorce Catharine Sellers, from her husband Nathan Sellers, Mr. Shelby in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Shelby reported, that the committee of the whole had according to order, had the said bill under consideration, and having gone through the same, and having made no amendment thereto, had directed him to report the same without amendment.

Ordered, That the said bill be engrossed for a third reading to-morrow.

On motion by Mr. Murdock—

Resolved, That the Senate be immediately informed, that this House have appointed Messrs. Murdock, Johnston of Knox, Prince, Lane and Dewey, as managers on the part of the House of Representatives, to prosecute the impeachment against Aaron Vandever, a justice of the peace of Washington county, and that the said managers will furnish the Senate with the names of the witnesses on the part of the government.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, to amend the act for the relief of the poor, Mr. Wallace in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wallace reported, that the committee of the whole had according to order, had the said bill under consideration, and had made no amendment thereto, and directed him to report the same without amendment.

Ordered, That the said bill be engrossed for a third reading to-morrow.

The House proceeded to consider the bill, supplemental to the act declaring certain streams therein named navigable—
 And,

On motion of Mr. Powell—

The same was recommitted to a committee of the whole House, and made the order of the day for to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill from the Senate entitled an act requiring certain public officers to give further security, in cases where the original shall remove, become insolvent or insufficient. Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had according to order, had the said bill under consideration and had made some amendments to the same, in which amendments he asked the concurrence of the House, which amendments he handed in at the clerk's table, where they were read and concurred in by the House.

Ordered. That said bill be read a third time to-morrow.
 And the House adjourned till to-morrow morning nine o'clock.

SATURDAY MORNING, Dec. 8th, 2821.

House met pursuant to adjournment.

David G. Mitchell, a member from the county of Harrison, elected in the room of John N. Dunbar, deceased, appeared, produced his credentials, was sworn, and took his seat as a member of this House.

Mr. Johnston of Knox, from the select committee to whom was referred, the petition of Guillaume Page, and

others, praying certain relief, reported a memorial to Congress, praying a donation in lands for the benefit of said petitioners, which was read the first and second time and ordered to be engrossed for a third reading on Monday next.

A message in writing was received from the Governor, by H. H. Moore, Esq. his private secretary, announcing that he did on yesterday approve and sign an act entitled an act to divorce Peggy Harnis from her husband, Michael Harnis; an act entitled an act for the relief of Jeremiah Lockwood; and a joint resolution changing the place of holding the election in Harrison township, in the county of Harrison—all of which originated in this House.

Mr. Prince, from the judiciary committee, reported a bill to authorise a call session of the Circuit Courts in certain cases, which was read the first time and ordered to be read a second time on Monday next.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the engrossed bill entitled an act for the relief of James Besse and John Eastburn, with an amendment thereto, in which amendment they ask the concurrence of the House of Representatives.

The House proceeded to consider the said amendment, which was made by striking out the words 'one hundred' and inserting 'two hundred' in lieu thereof, in that part of said bill which gives the compensation to said James Besse and John Eastburn.

Mr. Thompson moved that the House concur in the said amendment, and on the question of concurrence, it was decided in the negative, and the yeas and nays being demanded by messrs. Johnston, of Knox, and Murdock, the votes were as follows: Yeas 19—Nays 20.

Those who voted in the affirmative were

Messrs. Arion	Kirkpatrick
Battell	Lindsey
Bentley	Merrill
Braman	Miller
Chamberlin	Mitchell
Dewey	Prince
Ferris	Ray
Green	Reed
Kimberly	Thompson and Tipton.

In the negative were

Messrs. Benefield,	Maxwell
Canby	Milroy
Clark	Murdock
Cox	Powell
Crisler	Shelby
Dixson	Vandever
Donagho	Waldo
Holman	Wright of R.
Johnston of K.	Wright of W. and
Johnston of P.	Mr. Speaker.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed an engrossed bill entitled an act to provide for the speedy collection of all debts contracted

after May next, to which they desire the concurrence of the House of Representatives.

And he withdrew.

And said bill was read the first time and ordered to be read a second time on Monday next.

Mr. Powell, from the select committee to whom was referred the petition of sundry citizens of Dearborn county, praying for a road from the town of Aurora, in said county, to the town of Napoleon, in Ripley county—reported a bill for that purpose, which was read the first time and ordered to be read a 2d time on Monday next.

Mr. Tipton, from the committee appointed to enquire into the expediency of taxing showmen, reported a bill for that purpose, which was read the first time and ordered to be read a second time on Monday next.

Mr. Merrill having obtained leave, introduced a bill to amend the act regulating the incorporation of towns, which was read the first time and ordered to be read a second time on Monday next.

Mr. Braman laid before the House a presentment of the Grand Jury of Jackson county, which was read and referred to the judiciary committee, with leave to report by bill or otherwise.

Mr. Ferris having obtained leave, introduced a bill fixing the time of the commencement of the next and each succeeding session of the General

Assembly, which was read the first time and ordered to be read a second time on Monday next.

On motion of Mr. Merrill—

The bill attaching part of the county of Switzerland to the county of Ripley, was recommitted to a committee of the whole House and made the order of the day for Monday next.

The engrossed bill from the Senate, entitled an act divorcing Polly Jenkins from her husband, Josiah Jenkins; the bill to repeal the act adopting the Bank of Vincennes as the State Bank of Indiana; the bill to abolish the office of trustees of county seminaries; and the bill for the relief of Robert Gray and Reuben H. Murray, were taken up and severally read the second time and committed to a committee of the whole House, and made the order of the day for Monday next.

The engrossed bill from the Senate, entitled an act concerning lands reserved for the use of salt springs, was read the 2d time and ordered to be read the 3d time on Monday next.

A message was received from the Senate, by Mr. Blake, announcing that the Senate had passed the engrossed bill from this House, entitled an act establishing a permanent system of statute laws in this state, with an amendment, in which he asked the concurrence of this House.

And he withdrew.

And the said amendment was read and concurred in by the House.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, entitled an act amendatory to the act entitled an act authorising the granting of letters testamentary and letters of administration for the settlement of intestates' estates, was read the second time and committed to the judiciary committee, with leave to report thereon by bill or otherwise.

The bill attaching Wabash county to the counties of Park and Owen, for the purpose of civil and criminal jurisdiction, was read the second time and ordered to be engrossed for a third reading on Monday next.

The bill to amend the act entitled an act to reduce into one act, all acts and parts of acts now in force in this state, relative to crimes and punishments, was read the second time and committed to a committee of the whole House, and made the order of the day for Monday next.

A message was received from the Senate, by Mr. Gregory, announcing that the Senate had passed an engrossed bill, entitled an act authorising the guardians of the infant heirs of Henry Hecky, deceased, to lay out certain moneys in real estate.

And he withdrew.

And the said bill was taken up and read the 1st time and ordered to be read a second time on Monday next.

On motion,

The orders of the day were postponed for the present.

Mr. Holman presented the petition of Caleb Slead and others, praying for a new county in the New Purchase, which was read and referred to the committee of the whole to whom were referred the several bills for new counties in the New Purchase—And,

The House adjourned till 2 o'clock P. M.

The House met pursuant to adjournment.

The engrossed bill supplemental to an act entitled an act for the relief of the poor; the engrossed bill to dissolve the bands of matrimony between Catharine Sellars and Nathan Sellars; and the engrossed bill for the relief of Thomas Beezley, were taken up and severally read the third time and passed.

Ordered, That said bills be entitled acts.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill to amend an act entitled an act directing the mode of proceeding in certain cases of impeachment was read the third time, And,

On motion,

The same was referred to the judiciary commit-

tee, to consider and report thereon by bill or otherwise.

The engrossed bill, authorising the writ of replevin in certain cases, was read the third time and laid on the table.

A message was received from the Senate, by Mr. Blake, announcing that the Senate had passed the engrossed bill from this House, entitled an act legalizing certain proceedings of the board of county commissioners of the county of Vigo, without amendment.

And he withdrew.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, Dec. 10, 1821.

House met pursuant to adjournment.

Thomas Brown, a member from the county of Union, appeared, produced his credentials, was sworn, and took his seat as a member of this House.

A message from the Senate by Mr. Gregory, announcing that the Senate had passed the engrossed bill from this House, entitled An act for the relief of Thomas Beezley, without amendment.

Mr. Thompson submitted the following resolution:

Resolved, That the committee of ways and means be instructed, to draft and lay before this House, a bill authorizing the issuing of thirty thousand dollars of treasury notes,

Including the reissuing the treasury notes heretofore issued, a proportionable part of which to be issued in small notes, the whole to bear an interest of per cent. per annum, receivable in payment of all debts due the state; which resolution was read and laid on the table.

Mr. Benefield presented the petition of James Black and Abigail Powell, executors of the estate of Francis Williams, praying permission to sell and convey the real estate of the minor heir of said decedent, which petition was read and referred to a select committee of Messrs. Benefield, Johnston of Knox and Reed, with leave to report thereon by bill or otherwise.

Mr. Johnston of Knox, from the committee appointed to enquire into the expediency of laying off the state into congressional election districts, reported, that in the opinion of said committee, it was both proper and expedient, at this time, to lay off the state into the said electoral districts, and had directed him to report a bill for that purpose, which bill was read the first time, and ordered to be read a second time to-morrow.

Mr. Dewey presented the petition of Samuel G. Mitchell and others, praying for the formation of a new county in the New Purchase, to include the town of Indianapolis, which was read and referred to the select committee, to whom was referred, the several petitions for new counties in the New Purchase.

Mr. Dewey also presented the petition of Aaron Drake and others, praying the General Assembly to adopt certain measures which may speedily effect the opening of the national road through the western states, which was read and referred to a select committee of Messrs. Dewey, Merrill, Mitchell, Lane and Maxwell, with leave to consider and report thereon.

Mr. Ferris, from the committee of ways and means, made the following report:

The committee of ways and means, to whom was referred the resolution respecting the payment of the tax on bank stock, have attended to the subject: from official information, they find, that the collector of Knox county has paid into the treasury, the tax on the stock of the Bank of Vincennes, the state bank of Indiana; from unofficial information, your committee have reason to believe, that the Farmers' and Mechanics' bank at Madison and its branch at Lawrenceburgh, have paid their taxes, which has been inadvertently paid into the county treasuries. Your committee are induced to believe, that the branch banks at Vevay, Brookville and Corydon, were not taxed, and of course have paid no tax.

Mr. Milroy presented the petition of Jacob Kelvy, praying certain relief to persons settled on school sections of land, which was read—And,

On motion,

The said petition was referred to the committee on education, with leave to report thereon by bill or otherwise.

Mr. Merrill from the select committee on that subject, reported a bill establishing a permanent state road, from Lawrenceburgh, through Vevay, to Madison, which was read the first time, and ordered to be read a second time on to-morrow.

Mr. Thompson presented the petition of Andrew P. Hay and others, of Clark county, praying for an appropriation of the three per cent. fund, which was read and referred to the committee on the three per cent. fund.

Mr. Tipton presented the petition of sundry citizens, praying that a state road may be established, from Northampton to Indianapolis, which was read and committed to a select committee of Messrs. Tipton, Green, Wright, Braman and Lindsey, with leave to report thereon by bill or otherwise.

Mr. Canby presented the petition of Maurice Morris, praying permission to improve a certain school section of land, near Indianapolis, by erecting a mill thereon, for which he may be permitted to occupy the same for a term of years, which was read and referred to the committee on propositions and grievances.

Mr. Arion presented the petition of Christopher Denny, praying to be released from taxation, which was read.

Whereupon,

Mr. Arion submitted the following resolution, which was read and adopted.

Resolved. That the petition of Christopher Denny, be referred to the committee of ways and means, with directions to consider and report thereon, whether the county commissioners, at the time of assessing the taxes, should not have authority to exempt certain persons of the description of the above petitioner, from the payment of taxes.

On motion of Mr. Johnston, of Knox—

Resolved. That the judiciary committee, be and they are hereby instructed to prepare and report a bill or bills, providing for the collection and payment into the state treasury, the revenue or tax on the Madison, Lawrenceburgh, Brookville, Vevay and Corydon Banks.

The Speaker laid before the House, the report of W. C. Whittlesy, trustee of public Seminary for the county of Sullivan, from which it appears, there is in his hands, the sum of \$392 56 cents, of the funds belonging to the public Seminary of said county.

Mr. Battell introduced a bill to amend the act regulating the militia, which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Reed—

Resolved. That the committee of ways and means be instructed, to enquire into the expediency of emitting the poll tax on all persons who served a tour of duty in the revolutionary war.

Mr. Ferris, from the committee of ways and means, made a lengthy report on the subject of the revenue, which being read, was referred to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled An act authorising the guardians of the infant heirs of Henry Hecky deceased, to lay out certain monies, was read the second time, and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, providing for the speedy collection of all debts contracted after the first day of May next, was taken up, and read the second time, and committed to a committee of the whole House, and made the order of the day for Wednesday next.

The bill for the relief of Anna Ludlow, was read the second time, and ordered to be engrossed, and read a third time to-morrow.

The bill supplemental to an act, for the incorporation of towns:

The bill fixing the time for the commencement of the next and each succeeding session of the General Assembly:

The bill authorising call sessions of the Circuit Courts in certain cases—And

The bill to amend the act, regulating divorces, were taken up, and severally read the second time and committed to a committee of the whole House, and made the orders of the day for to-morrow.

The bill establishing a state road from the town of Aurora in Dearborn county, to the town of Napoleon in Ripley county, was read the second time and ordered to be engrossed for a third reading to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, for the better regulation of the militia, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Maxwell reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned till two o'clock P. M.

House met pursuant to adjournment.

Mr. Johnston of Knox, from the committee for enrolled bills, reported, that the said committee had examined the enrolled bill entitled An act supplemental to an act, organizing Circuit Courts and for other purposes, approved December 24th, 1818.

The enrolled bill entitled an act, to amend an act entitled an act prescribing the mode of changing the venue, approved December 31st, 1818.

An act to dissolve the bands of matrimony between Joseph Collett and Elizabeth Tiffin.

A joint resolution confirming the boundary line between the states of Indiana and Illinois—And,

A joint resolution, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate, and the signature of their President requested thereto.

The House according to order, again resolved itself into a committee of the whole, to consider the bill, for the better regulation of the militia of the state of Indiana. Mr. Maxwell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Maxwell reported, that the committee of the whole had according to order, had the said bill under consideration, and made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again :

Whereupon,

Leave was given.

A message was received from the Senate by Mr. Blake, announcing that the Senate had passed an engrossed bill entitled an act legalizing the election of trustees for the county library, for the county of Sullivan, in which they desire the concurrence of the House of Representatives.

And he withdrew.

And the House adjourned till to-morrow morning nine o'clock.

TUESDAY MORNING, Dec. 11, 1821.

The House met pursuant to adjournment.

On motion of Mr. Dewey —

Resolved, That the Senate be invited to occupy the chamber of the House of Representatives, during their session as the high court of impeachment, in the trial of Curtis Gilbert.

Mr. Lane, from the joint committee for enrolled bills, reported, that the said committee had examined and compared the enrolled bill, entitled an act for the relief of Thomas Dewey, and had found the same truly enrolled, whereupon the Speaker signed the same.

Ordered, That said bill be carried to the Senate, and the signature of their president requested thereto.

Mr. Lane, from the committee for enrolled bills, also reported, that the said committee did on yesterday present to his excellency the Governor for his approbation and signature, A joint Resolution—

An act to amend an act entitled an act prescribing the mode of changing the venue, approved, December 31st, 1818.

A joint Resolution—

Confirming the boundary line between the states of Indiana and Illinois.

An act supplemental to an act organizing Circuit Courts, and for other purposes, approved, December 24th 1818.

And an act to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin.

Mr. Mitchell submitted the following resolution, which was read and adopted:—

Resolved, That the committee on the Judiciary be instructed to enquire what statutory provisions if any, are necessary to the rightful security of the holders of the notes of the Bank of Vincennes or her branches, whether they be individuals or Treasurers of their respective counties, as well as Stockholders who are not debtors to the said institution, equal in amount to the money actually paid in on stock to the said Bank, with leave to report by bill or otherwise.

Mr. Prince from the Judiciary committee to whom was referred the resolution of the House, to enquire if any, and what amendments are necessary to the act regulating the mode of summoning Grand Jurors, reported that the said committee had had that subject under consideration and had directed him to report by bill, which bill he handed in at the Clerk's table, where it was read and ordered to be read a 2d time on to-morrow.

Mr. Dewey presented the petition of sundry citizens of the new purchase, praying for the formation of a new county between Bartholomew and Franklin counties, which was read and referred to the select committee to whom was referred the several petitions for new counties in the new purchase.

On motion of Mr. Johnston of K.—

Mr. Mitchell was added to the committee on the Judiciary.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had accepted the invitation of the House of Representatives to occupy the chamber of the House, during the trial of Curtis Gilbert clerk of Vigo Circuit Court. And he withdrew.

Ordered, That the Senate be informed, that the House of Representatives will immediately adjourn to give place in the Representatives' chamber, for the Senate as the high court of impeachment, to proceed with the trial of Curtis Gilbert, clerk of Vigo Circuit Court.

And then the House adjourned till 2 o'clock P. M.

House met pursuant to adjournment.

The high court of impeachment still wishing to occupy the chamber of the House of Representatives.

On motion,

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, Dec. 12, 1821.

House met pursuant to adjournment.

Mr. Johnston from the joint committee for enrolled bills reported, that the said committee did on yesterday present, to his Excellency the Governor for his approbation and signature, the enrolled bill entitled an act for the relief of Thomas Beezly and others.

On motion,

The House adjourned till one o'clock P. M.

House met pursuant to adjournment.

Mr. Murdock presented the petition of Oliver Bennett and others of the new purchase, praying for the formation of a new county out of the county of Delaware, which was read and referred to the select committee to whom was referred the several petitions heretofore presented, praying for the formation of new counties in the new purchase.

Mr. Prince from the Judiciary committee, to whom was referred the petition of James L. White and others of Scott county, praying an alteration in the criminal law so far as respects evidence of intention in the commission of crime,

reported, that the law already provides for that evil as far as is consistent with sound policy.

Mr. Wallace presented the petition of William Rogers and others of Orange county, praying that the law may be so changed as to permit Doctor Rogers to practice medicine without licence, which was read and referred to the committee on propositions and grievances.

Mr. Ferris from the committee of ways and means, to whom was referred the petition of Christopher Denny and others of Jefferson county, praying that said Denny be exempted from taxation, and also a Resolution to enquire into the expediency of exempting certain persons who served in the Revolutionary war, from the payment of certain taxes, reported, that such a measure would be inexpedient.

On motion,

The House concurred in said report.

Mr. Milroy from the committee to whom the subject was referred, reported a bill establishing a Board of magistrates and abolishing the office of county commissioners, which was read the first time and ordered to be read a second time to-morrow.

Mr. Dewey presented the petition of Joseph H. Peck and others, praying an extension of certain leases, which was read and referred to a select committee of Messrs. Dewey, Wallace and Milroy with leave to report by bill or otherwise.

Mr. Clark presented the petition of Levi Stark and others of Scott county, praying for a removal of the seat of Justice of Scott county, which was read and referred to a select committee of Messrs. Clark, Thompson, Green, Kirkpatrick and Weight of Washington, with leave to report thereon by bill or otherwise.

Mr. Tipton from the committee on that subject, reported a bill for the establishment of a state road from Northampton to Indianapolis, which was read the first time and ordered to be read the second time to-morrow.

A message was received from the governor by Mr. Caswell, announcing that he did on the 11th instant approve and sign An act to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin. An act to amend the act entitled "An act prescribing the mode of changing the venue, approved December 31st, 1818." "An act supplemental to an act organizing Circuit Courts and for other purposes, approved December 24th, 1818." A joint Resolution confirming the line between the states of Indiana & Illinois. "And a joint Resolution."

And that he did on this day approve and sign "An act for the relief of Thomas Beezly and others, all of which originated in this House.

The engrossed bill from the Senate, entitled an act legalizing the election of trustees of the county Library of the county of Sullivan, was taken up and read the first time and ordered to be read a second time to-morrow.

Mr. Prince from the Judiciary committee, to whom was referred the presentment of the Grand Jury of Jackson county suggesting the propriety of amending the act for the limitation of criminal prosecutions, Reported a bill for that purpose, which was read the first time and ordered to be read a second time to-morrow.

The Speaker laid before the House a communication from the Treasurer of State, which was read, and is as follows:

Treasury department, Corydon Dec. the 12th, 1821.

The Treasurer in obedience to an act of the General Assembly approved the 1st day of this instant, submits the following report:

That upon the eighth day of this month, he did within the Banking House of the Bank of Vincennes, adopted as the state Bank of Indiana, and within the usual Banking hours in the presence of the cashier thereof, count down the amount of the first bond, (being ten thousand dollars) which had been executed for the loan due from the state to that institution, composed partly of the notes of the said Bank, and the residue of notes upon her Branches, all of which he the said cashier peremptorily refused to receive, having remarked that he could do nothing towards the adjustment of this business, as this bond together with all the other bonds for loans made to the state by the institution, had never been in his possession, and which he had been informed were assigned over in discharge of a debt due to the general government, previous to his coming into the office. I am inclined to believe that those assignments have been made without regard to a small credit to the state is entitled. A copy of the evidence of which is herewith transmitted.

All of which is respectfully submitted.

D. C. LANE, Treasurer.

The documents alluded to was read, and is as follows:—

Bank of Vincennes, the state Bank of Indiana, 6th of March, 1821.

Deposited this day.

By D. C. Lane Esq. Treasurer of the state of Indiana, six dollars to be applied in part of the interest due in January 1822, on the state loan on the return of this certificate and endorsed by him.

E. BOUDINOT, Cas.

A true copy of the original on file in my office.

D. C. LANE, Treas.

Z

On motion,

The said documents were referred to the committee of ways and means.

The Speaker laid before the House the report of William Loyal, trustee of public Seminary of the county of Fayette, from which it appears there is in his hands the sum of five dollars, and in the hands of his predecessor in office, the sum of sixty four dollars forty-four and a half cents of the funds belonging to the Seminary of said county.

A message was received from the Senate by Mr. Gray, announcing that the Senate insist on their amendment to the bill for the relief of James Besse and John Eastburn.

And he withdrew.

Mr. Merrill moved that this House recede from their objections to said amendment, and on that question the yeas and nays being demanded by Messrs. Murdock and Johnston of K. the votes were as follows:—Yeas 18—Nays 23.

Those who voted in the affirmative were

Messrs. Arion,	Kirkpatrick,
Battell,	Lane,
Bentley,	Lindsey,
Braman,	Merrill,
Chamoeerlin,	Prince,
Dawey,	Ray,
Ferris,	Reed,
Green,	Thompson, and
Kimberly,	Tipton,

And those in the negative were,

Messrs. Beckes,	Maxwell,
Benefield,	Mitchell
Brown,	Mulroy of L.
Sanby,	Murdock,

Clark,	Powell,
Cox,	Shelby,
Crisler,	Vandever,
Dixon,	Wallace
Donaghe,	Wright of R.
Hobnan,	Wright of W. and
Johnston of Knox,	Mr. Speaker.
Johnson of Pike,	

And so it was decided in the negative.

On motion by Mr. Tipton—

Resolved. That a committee of free conference be appointed on the part of this House, to confer with such as may be appointed on the part of the Senate, on the subject matter of dispute between the two houses, on the amendment made by the Senate to the bill from the House of Representatives entitled an act for the relief of James Besse and John Eastburn. And thereupon Messrs. Tipton and Thompson were appointed managers on the part of this House.

Ordered. That the Senate be informed thereof, and a similar committee requested on their part.

Mr. Johnston of Knox, introduced a joint Resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of Vigo Circuit court, which was read the first time and ordered to be read a 2d time to-morrow.

Mr. Tipton presented the petition of John Pitman and others, praying an act giving compensation for destroying wolves, which was read & referred to the committee of propositions and grievances.

Mr. Arion submitted the following resolution, which was read and adopted.

Whereas much doubt exists in the minds of many members of this House, as to the annual amount of fines adjudged to

the state for Seminary purposes, so much so that no certain estimate can be made of that part of those funds, which may become highly important to this state :

Therefore,

Resolved, That the Secretary of State be and he is hereby instructed to lay before this House, a detailed statement of fines remitted for the last two years, for the purpose of enabling this House to take such measures as will settle and apportion the fines in a constitutional point of view, proportioned to the nature of offences.

Mr. Tipton submitted the following resolution, which was read and laid on the table.

Resolved, That a committee be appointed to draft and report a bill to this House, changing the mode of voting from ballot to viva voce.

Mr. Ray presented the petition of Joseph A. Hopkins and others of the new purchase, praying an act, giving the new counties formed in the new purchase, a portion of Representation in the next General Assembly, which was read and referred to a select committee of Messrs. Ray, Lane, Maxwell, Shelby, and Wright of Randolph, with leave to report thereon by bill or otherwise.

On application, Mr. Lane was excused from serving on the last mentioned committee.

The House proceeded to consider the orders of the day.

The House according to order, now again resolved itself into a committee of the whole, on the bill for the better regulation of the Militia, Mr. Maxwell in the chair, and after some time spent therein Mr. Speaker resumed the chair, and Mr. Maxwell Reported, That the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had

time to go through the same had directed him to ask leave to sit again. — Whereupon leave was given.

The House adjourned until 9 o'clock to-morrow morning.

THURSDAY MORNING, Dec. 13, 1821.

House met pursuant to adjournment.

Mr. Thompson, from the committee of elections reported as follows :

The committee of elections have examined sundry certificates of the elections of members to the House of Representatives, and find the following gentlemen duly elected and entitled to their seats in this house, to wit :

From the county of Wayne—Jeremiah Cox, Joseph Holman and Loring A. Waldo.

From the county of Fayette—Allen Crisler.

From the county of Union—Thomas Brown.

From the counties of Owen and Green—Eli D. Mason.

From the county of Harrison—David G. Mitchell.

From the county of Pike—John Johnson—And,

From the county of Randolph—John Wright—in which report the House concurred.

Mr. Miller presented the petition of Samuel Stewart and others, of Clark county, praying for an extension of the state road from Charlestown to Utica in said county, which was read and laid on the table,

Mr. Wright from the committee on that subject, reported a bill authorising the agent at Indianapolis to lease a ferry.

and for other purposes, which was read the first time, and ordered to be read a second time to-morrow.

On motion of Mr. Mitchell—

Resolved, That the judiciary committee be instructed to enquire into the propriety of making plaintiffs pay the costs of juries, in all cases where they do not recover above twenty dollars—Also, the propriety of justices of the peace trying persons for petty offences without a jury,

Mr. Tipton from the committee to whom was referred, the petition of John Ewing and others of Perry county, praying that a part of Perry county may be attached to Crawford county, reported, that the prayer of the petitioners is unreasonable and ought not to be granted, in which report the House concurred.

Mr. Merrill, from the committee on education, reported a bill providing for the collection of fines in certain cases, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Thompson presented the petition of A. P. Hay, Isaac Hawk and others of Charlestown, praying that the citizens of said town may not be compelled to work on the roads in the county, which was read and referred to a select committee of Messrs. Thompson, Milroy, Mitchell, Reed and Wright of W. with leave to report by bill or otherwise.

The House proceeded to consider the orders of the day.

The memorial to Congress, praying a donation in lands, for the benefit of certain ancient French settlers, in Knox county, was read the third time and adopted.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

The bill supplemental to an act, regulating the sum-

ing and empannelling grand jurors, was read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, legalizing the election of trustees of the county library for the county of Sullivan, was read a second time and ordered to be read the third time to-morrow.

The bill locating a permanent road from Northampton to Indianapolis, and the joint resolution respecting the impeachment of Curtis Gilbert, clerk of Vigo circuit court, were severally read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

A message from the Senate by Mr. Graham, announcing that the Senate had appointed Messrs. Graham and Carlton, a committee of free conference on their part, on the subject matter of dispute between the two Houses, on the amendment made by the Senate, to the bill from the House of Representatives, entitled an act for the relief of James Besse and John Eastburn.

And he withdrew.

The bill to amend the act for the limitation of criminal prosecutions, was read the second time and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill authorising a transfer of prisoners, in certain cases, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The bill for the appointment of guardians to certain minors, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

The engrossed bill, appointing commissioners to relocate the seat of justice of Crawford county, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The bill for the establishment of a permanent road from the town of Aurora in Dearborn county, to the town of Napoleon in Ripley county, was read the third time—And on the question of its passage, the yeas and nays being demanded by Messrs. Lane and Johnston of Knox, the votes were as follows: Yeas 16. Nays 20.

Those who voted in the affirmative were,

Messrs. Battell,	Miller,
Bentley,	Powell,
Brianan,	Prince,
Clark,	Rice,
Dewey,	Thompson,
Holman,	Trotter,
Lane,	Vandever and
Merrill,	Mr. Speaker.

Those who voted in the negative were,

Messrs. Beckes,	Johnson, of Pike,
Berchfield,	Kimberly,
Brown,	Kirkpatrick,
Canby,	Lindsey,
Cox,	Maxwell,
Crisler,	Murdock,
Dixon,	Ray,
Ferris,	Shelby,
Green,	Wright of W. and
Johnston, of Knox,	Wallace.

And so the said bill was rejected.

A message was received from the Senate by Mr. New, announcing that the Senate had elected the Hon. William Graham, President *pro tem*.

The engrossed bill from the Senate, entitled an act concerning certain lands reserved for the use of salt springs, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House according to order, now resolved itself into a committee of the whole, again to consider the bill for the better regulation of the militia of the state of Indiana, Mr. Maxwell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Maxwell reported, that the committee of the whole had according to order, had the said bill under consideration, and had gone through the same, and made several amendments thereto, in which he was directed to ask the concurrence of the House.

And the House adjourned until 3 o'clock, P. M.

House met pursuant to adjournment.

The House proceeded to consider the amendments made in committee of the whole, to the bill for the better regulation of the militia of the state of Indiana.

On motion,

The House concurred in the said amendments generally.

Mr. Lane then moved further to amend the said bill, by adding the following proviso to the 39th section thereof, "Provided however, that nothing in this act shall be so construed as to authorize any officer or other person to take and sell for any military fine, which shall or may be imposed upon any person subject to perform military duty or to pay a militia fine, any property which shall or may be in-

dispensably necessary for the convenience and support of the wife and children of such person fined, or which shall or may be necessary to enable such wife and children to support. And provided also, that species of property shall be exempted hereby which is not excepted from attachment or execution." And on the question shall the said bill be so amended, it was decided in the negative, and the yeas and nays being demanded by Messrs. Lane and Beekes, the votes were as follows:—

In the affirmative were,

Messrs. Arion,	Ferris,
Battell	Holman,
Beekes,	Johnston, of K.
Brown,	Kimberly,
Canby	Lane,
Cox,	Mitchell,
Crisler,	Prince,
Dewey,	Thompson,
Dixon,	Waldo, and
	Wright of R. 10

And those who voted in the Negative were,

Messrs. Benefield,	Miller,
Braman,	Powell,
Chamberlin,	Ray,
Clark,	Reed,
Green,	Shelby,
Johnson, of Pike,	Tipton
Kirkpatrick,	Vandever,
Maxwell,	Wallace,
Merrill,	Wright of W. and
Milroy,	Mr. Speaker. 20

Mr. Battell then moved further to amend said bill, in that part which imposes a fine of 2 dolls. on a private who refuses to attend a Regimental muster, by striking out the word two dollars, and on the question shall the bill be so amended.

ed, it was decided in the affirmative, and the yeas and nays being demanded by Messrs. Battell and Johnston of K., the votes were as follows:—

In the affirmative were,

Messrs. Arion	Kirkpatrick
Battell	Lane
Brown	Meroy
Canby	Prince
Chamberlin	Ray
Clark	Reed
Cox	Thompson
Crisler	Vandever
Dewey	Waldo
Dixson	Wallace
Holman	Wright of R.
Kimberly	Wright of W. and
	Mr. Speaker 25.

And those who voted in the negative were,

Messrs. Beekes	Maxwell
Benefield,	Merrill
Kerris	Miller
Green	Mitchell
Johnston of K.	Powell
Johnston of P.	Shelby and
Lindsey	Tipton 14.

Mr. Tipton then moved to fill the blank with the words, "one dollar and seventy-five cents." and on the question, Shall the bill be so amended? It was decided in the negative.

And the Yeas and Nays being demanded by Messrs. Tipton and Holman, the votes were as follows Yeas 12. Nays 23.

Those who voted in the affirmative were

Messrs. Beckes,	Merrill,
Benefield,	Miller,
Braman,	Mitchell,
Johnston of Knox,	Powell,
Johnson of Pike,	Shelby, and
Maxwell,	Tipton, 12

And those in the negative were,

Messrs. Arion,	Kirkpatrick,
Battell,	Lane,
Brown,	Lindsey,
Canby,	Milroy of L.
Chamberlin,	Prince,
Clark,	Mitchell,
Cox,	Ray,
Crisler,	Reed,
Dewey,	Thompson,
Dixon,	Vandever,
Ferris,	Wallace,
Green,	Waldo,
Holman,	Wright of R.
Kimberly,	Wright of W. and
	Mr. Speaker. 28

Mr. Maxwell then moved to amend said bill, by filling the blank with the words, "one dollar and fifty cents," and on the question, Shall the said bill be so amended? It was decided in the affirmative.

And the Yeas and Nays being demanded by Messrs. Shelby and Kirkpatrick, the votes were as follows: Yeas 22. Nays 19.

Those who voted in the affirmative were,

Messrs. Beckes,	Merrill,
Benefield,	Miller,
Braman,	Mitchell,

Canby,	Murdock,
Chamberlin,	Milroy, of L.
Ferris,	Powell,
Green,	Ray,
Johnston, of Knox,	Reed,
Johnson, of Pike,	Shelby,
Lindsey,	Tipton, and
Maxwell,	Mr. Speaker,

Those who voted in the negative were,

Messrs. Arion,	Kimberly,
Battell,	Kirkpatrick,
Brown,	Lane,
Clark,	Prince,
Cox,	Thompson,
Crisler,	Vandever,
Dewey,	Waldo,
Dixon,	Wallace,
Holman,	Wright of R. and
	Wright of W.

On motion by Mr. Battell—

The said bill was further amended, in that part of it which imposes a fine of one dollar and fifty cents on a private for non-attendance at a company muster, by striking out the words fifty cents.

On motion of Mr. Beckes—

The said bill was further amended, by adding the following provision to the 71st section thereof, "Provided, That the Brigadier General, before he receives the said 25 per cent. from the Paymasters of the different Regiments, shall enter into bond with approved security, payable to the Major General, for the use of the Brigade, in the sum of two thousand dollars, conditioned for the faithful application of such money according to law."

Mr. Canby moved further to amend said bill, by striking out all that part of it which requires private militiamen to appear at muster with arms—and on the question, Shall the said bill be so amended? It was decided in the negative.

And the Yeas and Nays being demanded by messrs. Holman and Johnston of Knox, the votes were as follows:

Those in the affirmative were,

Messrs. Canby,
Cox,
Holman,
Kimberly,
Kirkpatrick,

Lane,
Thompson,
Waldo,
Wallace and
Wright of R—10.

And those in the negative were,

Messrs. Arion,
Battell,
Becker,
Benfield,
Braman,
Brown,
Chamberlin,
Clark,
Crisler,
Dewey,
Dixon,
Ferris,
Green,
Johnston of K.
Johnson of P.

Maxwell,
Merrill,
Miller,
Milroy,
Mitchell,
Murdoch,
Pawell,
Prince,
Ray,
Shelby,
Tipton,
Vandeever,
Wright of W. and
Mr. Speaker—29.

Mr. Ray moved further to amend said bill, by striking out that part of it which gives the Brigadier General the right to take the command at Regimental musters; and on the question, Shall the said bill be so amended? It was decided in the negative.

On motion of Mr. Battell—

The said bill was further amended, by striking out the words "four dollars," in that part of it which imposes a fine on persons conscientiously scrupulous of bearing arms, and inserting in lieu thereof, the words, "three dollars and fifty cents."

On motion,

Ordered, That said bill be engrossed for a third reading on Saturday next.

A message from the Senate by Mr. New, announcing that the Senate had passed a memorial of the General Assembly of the state of Indiana, to the Congress of the United States, which originated in this House, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Laughlin, announcing that the Senate had passed the engrossed bill from this House, dissolving the bands of matrimony between Catharine Sellers and her husband Nathan Sellers, without amendment.

A message was received from the Senate by Mr. Sholts, announcing that the Senate had passed an engrossed bill for the relief of the county agent of Pike county, in which they desire the concurrence of the House of Representatives.

And he withdrew.

Which bill was taken up and read the first time, and ordered to be read a second time to-morrow.

The House according to order, now resolved itself into a committee of the whole, on the report of the committee of ways and means, on the subject of the revenue. Mr. Ray in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ray reported, that the commit-

tee of the whole had according to order; had the said report under consideration; and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning at ten o'clock.

FRIDAY MORNING, Dec. 14, 1821

House met pursuant to adjournment.

On motion of Mr. Johnston of K.—

Resolved by the House of Representatives, the Senate concurring therein, that six copies of the memorial and resolution to Congress, upon the petition of William Page and others, be made out by the clerk of the House of Representatives, and signed by the Speaker and President of the Senate, one of which shall be forthwith transmitted by the President of the Senate, to the President of the United States—one to the President of the Senate of the United States—one to each of our Senators and Representatives in Congress, and the other transmitted by the Speaker of this House, to the Speaker of the House of Representatives of the Congress of the United States.

Ordered. That the Senate be informed thereof and their concurrence requested.

Mr. Ferris from the committee of ways and means, to whom was referred, the communication of D. C. Lane, on the subject of the state debt, reported a joint resolution on

that subject, which was read twice. (the rule being dispensed with) and committed to a committee of the whole House, and made the order of the day for this day.

Mr. Powell from the select committee on the subject of new counties in the New Purchase, made the following report:

Mr. Speaker,

The committee on new counties, have had under consideration, the petition of Joseph A. Hopkins and others, praying for the formation of a new county north of Jennings county, and have directed me to report, that in consequence of a bill on that subject being now before this House, it is out of the power of the select committee, to make any alteration to the bounds contemplated in the bill, but would barely remark, that a small alteration might be made, by extending the said new county, two miles further north, without materially injuring the county contemplated west of Fayette county, which report was read and laid on the table.

Mr. Crisler having obtained leave, introduced a bill for the relief of the sheriff of Fayette county, which was read and ordered to be read a second time to-morrow.

Mr. Thompson from the standing committee of elections, to whom was referred, the resolution on that subject, reported a bill changing the mode of voting from ballot to viva voce, which was read the first time and ordered to be read a second time to-morrow.

The bill providing for the collection of fines in certain cases, was read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill providing for the collection of fines in certain cases, was read the second time and committed to a committee

tee of the whole House, and made the order of the day for to-morrow.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the engrossed bill from this House, entitled: An act appointing commissioners to relocate the seat of justice of Crawford county, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had passed an engrossed bill entitled an act, for the general retrenchment of county expenditures and for other purposes, in which he asked the concurrence of this House; and the said bill was taken up, read the first time and ordered to be read a second time to-morrow.

The House according to order, now resolved itself into a committee of the whole, on the joint resolution respecting the impeachment of Curtis Gilbert, clerk of Vigo Circuit Court, Mr. Arion in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Arion reported, that the committee of the whole had according to order, had the said joint resolution under consideration, and had amended the same by striking it out from the word Indian, and inserting in lieu thereof the following: "That the Auditor of Public Accounts is hereby directed to audit the claims of the witnesses, summoned and examined in the trial of the impeachment of the clerk of Vigo county, at the rate of one dollar per day each, for the time of their attendance on said court, and one dollar for every twenty five miles going and returning from said trial; and the treasurer is hereby directed to pay the same out of any money in the treasury not otherwise appropriated, in which amendment he asked the concurrence of the House.

And on the question, Will the House concur in said amendment? It was decided in the affirmative.

And the Yeas and Nays being demanded by Messrs. Fogles and Johnston of Knox, the votes were as follows: Yeas 27. Nays 14.

Those who voted in the affirmative were

Messrs. Arion,	Johnson of Pike
Battell,	Lindsey,
Beckes,	Maxwell,
Benefield,	Merrill,
Bentley,	Miller,
Braman,	Murdock,
Canby,	Prince,
Chamberlin,	Reed,
Clark,	Shelby,
Dewey,	Thompson,
Dixon,	Tipton,
Donaghe,	Wallace and
Green,	Wright of R.
Johnston of Knox,	

And those in the negative were,

Messrs. Brown,	Mitchell
Crisler,	Powell,
Ferris,	Ray,
Holman,	Vandever,
Kimberly,	Waldo,
Kirkpatrick,	Wright of W. and
Laue,	Mr. Speaker.

Ordered, That the said resolution be engrossed for a third reading to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill, authorising a loan for the benefit of the state, and the report of the committee of ways and means. Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had according to order, had the said bill and report under

consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And then the House adjourned till 3 o'clock P. M.

The House met pursuant to adjournment.

The House according to order, now resolved itself into a committee of the whole, to consider the report of the committee of ways and means, on the subject of the revenue, and the bill authorising a loan for the benefit of the state, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had according to order, had the said report and bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to report progress, and ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning nine o'clock.

SATURDAY MORNING, Dec. 15th, 1821.

House met pursuant to adjournment.

Mr. Powell presented the petition of John Livingston and others of Dearborn county, praying a change in the state

road from the town of the Rising Sun to Indianapolis, which was read and referred to a select committee of Messrs. Powell, Ray and Wright of Randolph, with leave to report by bill or otherwise.

Mr. Murdock presented the petition of James Vanasdal and others, praying that Big Blue river may be declared navigable a certain distance, which was read and referred to the committee of the whole to whom was referred the bill to amend the act declaring certain streams therein named navigable.

Mr. Johnston of Knox, to whom was referred the petition of the executors of the estate of Francis Williams deceased, Reported a bill for the relief of the infant heirs of said decedent, which was read the first time and rejected.

Mr. Murdock presented the petition of Richard Tyner and others, praying for the formation of a new county out of the county of Delaware, which was read and referred to the committee of the whole, to whom was referred the several bills for new counties in the new purchase.

Mr. Maxwell from the committee of propositions and grievances, made the following report:—"The committee of propositions and grievances, to whom was referred the petition of sundry inhabitants of Orange county, praying that Doctor Henry Rogers be permitted to practice medicine without obtaining licence according to the existing law on that subject, have had the same under consideration and have given to it the reflection which its importance seems to demand, and have instructed me to report that in the opinion of the committee it would be improper to exempt individuals from the operation of a general law, and consequently inexpedient to legislate on the subject. In which report the House concurred.

Mr. Maxwell from the committee of propositions & grievances to whom was referred the petition of John Pitman, praying an act giving compensation for destroying wolves, Reported a bill for that purpose, which was read the first

are and objections being made, and on the question of rejecting said bill, it was decided in the negative, and the yeas and nays being demand by two members on that question, the votes were as follows:—Yeas 11—Nays 28.

Those who voted in the affirmative were,

Messrs. Arion,	Johnston of K.
Becks,	Johnston of P.
Braman,	Kirkpatrick,
Crisler,	Prince and
Donaghe,	Wright of W.
Ferris,	

Those who voted in the negative were,

Messrs. Battell,	Merritt,
Benefield,	Miller,
Braman,	Milroy,
Canby,	Mitchell,
Chamberlin,	Murdock,
Clark,	Powell,
Cox,	Ray,
Dewey,	Shelby,
Dixson,	Thompson,
Green,	Tipton,
Holman,	Vandever,
Kimberley,	Waldo,
Linsley,	Wallace, and
Maxwell,	Wright of W.

Ordered, That said bill be read a 2d time to-morrow.

Mr. Lane from the committee for enrolled bills, reports that the said committee had examined the enrolled bill entitled an act establishing a permanent system of statute laws in this state; the enrolled bill entitled an act to dissolve the bands of matrimony between Catherine Sellers, late Catherine Moffit, and her husband Nathan Sellers; and the enrolled bill entitled an act supplemental to an act entitled an

act for the relief of the poor, and had found the same truly enrolled;

Whereupon,

The Speaker signed the same.

Ordered, That they be carried to the Senate for the signature of their president.

A message was received from the Senate by Mr. Gregory, announcing that the Senate had passed a bill for the formation of a new county out of the counties of Delaware and Wabash, in which they ask the concurrence of this House.

And he withdrew.

And the said bill was read twice (the rule being dispensed with) and committed to a committee of the whole, to whom was referred the several bills for new counties in the new purchase.

Mr. Lane from the committee for enrolled bills, reported, that the said committee had examined the enrolled bill entitled an act concerning lands reserved for the use of salt springs, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bill be carried to the Senate, and the signature of the president thereof requested.

The House proceeded to consider the orders of the day.

On motion,

The House resolved itself into a committee of the whole to consider the bill to amend the several acts for opening

and repairing public roads and highways. Mr. Beckes in the chair, and after some time spent therein. Mr. Speaker resumed the chair, and Mr. Beckes reported that the committee of the whole had according to order, had the said bill under consideration, and had made several amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

And the House adjourned till two o'clock P. M.

The House met pursuant to adjournment.

The House proceeded to consider the bill to amend the several acts for opening and repairing of public roads and highways. Mr. Wright of Washington, moved to amend said bill by adding the following provisions thereto: "Provided, That 500 dollars worth of real property in any town, shall be deemed and taken as equivalent to one quarter section of land, the owner of such property shall be subject to work on roads in that proportion for a greater or less value of property so rated as aforesaid, by individuals subject to work on roads by this act, the value to be taken from the valuation made by the lister of taxable property."

And on the question, will the House adopt said amendment? It was decided in the negative, and on that question the yeas and nays being demanded by Messrs. Beckes and Wright of Washington, the votes were as follows:—Yeas 19
—Nays 22.

Those who voted in the affirmative were,

Messrs. Braman,	Maxwell,
Clark,	Powell,
Dowey,	Ray,
Donaghe,	Shelby,
Green,	Vandever

Holman,
Johnson, of Pike,
Lane,
Mindsey,

Waldo,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker.

Those who voted in the negative were,

Messrs. Arion,	Ferris,
Battell,	Johnston, of Knox,
Bentley,	Kirkpatrick,
Beckes,	Kimberly,
Beneield,	Merrill,
Brown,	Miller,
Canby,	Mitchell,
Chamberlin,	Murdock,
Cox,	Prince,
Crisler,	Thompson, and
Dixon,	Tipton,

On motion of Mr. Murdock—

The said bill was ordered to be engrossed for a 3d reading on monday next.

The House according to order now resolved itself into a committee of the whole, to consider the joint resolution on the subject of the public debt, Mr. Donaghe in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Donaghe reported, that the committee of the whole had according to order, had the said resolution under consideration and had made some amendments to the same, in which he was directed to ask the concurrence of the House.

On motion,

The House concurred in said amendments.

Cc

Ordered, That said resolution be engrossed for a third reading to-day.

On motion of Mr. Maxwell—

The committee of the whole to whom was referred the engrossed bill from the Senate entitled an act to divorce Polly Jenkins from her husband Josiah Jenkins, was discharged from the consideration thereof. And the said bill was then read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed joint resolution on the subject of the public debt, was read the third time and passed. And on the question of its passage, the yeas and nays being demanded by Messrs. Arion and Thompson, the votes were as follows :—Yeas 39—Nays 1.

Mr. Thompson voted in the negative, and all the rest in the affirmative.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed an act concerning lands reserved for the use of salt springs ; An act establishing a permanent system of statute laws in this state ; An act divorcing Catharine Sellers, late Catharine Moffit, from her husband Nathan Sellers ; And an act supplemental to an act for the relief of the poor.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had presented the above mentioned bills to his Excellency the Governor for his approbation and signature.

The engrossed bill from the Senate, for the general retrenchment of county expenditures, was read a 2d time and committed to a committee of the whole House and made the order of the day for Monday next.

The bill authorising the writ of replevin in certain cases was read the third time and passed, and on the question of its passage the yeas and nays being demanded by Messrs. Reed and Lane, the votes were as follows :—Yeas 51—Nays 10.

In the affirmative were,

Messrs. Arion
Battell
Beckes
Benefield,
Bentley
Braman
Canby
Chamberlin
Clark
Cox
Dewey
Dixson
Donaghe,
Green
Holman

Johnston of P.
Kimberly
Lindsey
Maxwell
Merrill
Mitchell
Prince
Ray
Reed
Shelby
Thompson
Tipton
Waldo
Wallace
Wright of R. and
Mr. Speaker 31.

And those who voted in the negative were,

Messrs. Brown
Crisler
Ferris
Johnston of K.
Kirkpatrick

Lane
Miller
Murdock
Powell
Vandever and
Wright of W.

On motion,

The orders of the day were postponed.

A message from the Senate by Mr. Blake, announcing that the Senate have passed the following resolution: *Resolved*, That the Senate will resolve itself into a court of impeachment, for the trial of Aaron Vandever Esqr. at nine o'clock on Monday morning, and that the House of Representatives be informed thereof.

Mr. Dewey offered the following resolution which was read and laid on the table :

Resolved. That the House of Representatives proceed to the election of the revisor of the laws, by a joint ballot of both Houses of the Legislature in the Representatives' chamber on Monday morning at ten o'clock ; that the Senate be informed thereof and requested to pass a similar resolution.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, Dec. 17, 1821.

House met pursuant to adjournment.

Mr. Johnston, of K. presented the petition of sundry citizens of Vincennes, praying to be exempt from working on roads in the country, which was read and laid on the table.

Mr. Prince, from the judiciary committee, to whom was referred the engrossed bill from the Senate, entitled an act amendatory to the act entitled an act authorising the granting of letters testamentary and letters of administration for the settlement of intestates' estates, and for other purposes, reported the same with sundry amendments, which were read and concurred in by the House, and the said bill, as amended, committed

to a committee of the whole House, and made the order of the day for to-morrow.

A message was received from the Senate, by Mr. New, announcing that the Senate had passed the joint resolution concerning the public debt, with an amendment, in which they ask the concurrence of this House. They have also passed a resolution from this House, without any title.

And he withdrew.

And the said amendment was read and concurred in by this House.

ORDERED, that the Senate be informed thereof.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had formed itself into a court of impeachment, for the trial of Aaron Vandever, a Justice of the Peace for Washington county, and request the attendance of the managers on the part of the House of Representatives.

Mr. Powell, from the select committee to whom was referred the several petitions for new counties in the New Purchase, reported a bill for the formation of a new county west of the counties of Franklin and Fayette, which was read twice (the rule being dispensed with) and committed to a committee of the whole, to whom was referred the several bills for new counties in the New Purchase.

Mr. Powell, from the committee of propositions and grievances, to whom was referred the petition of Jacob Horner, of Washington county, pray-

ing compensation for erecting certain bridges, reported that the said committee had had the same under consideration, and had directed him to report that the prayer of the petitioner is unreasonable, and ought not to be granted; in which report the House concurred.

The Speaker laid before the House the following written communication from the Secretary of State, which was read and laid on the table, viz :

SECRETARY'S OFFICE,
DECEMBER, 14, 1821.

The Hon. the Speaker of the House of Representatives.

SIR—

I have the honor to transmit herewith a transcript of the amount of fines remitted during two years ending the 9th of November, 1821.

Very respectfully,

Your ob't servant,

R. A. NEW.

The transcript alluded to was read and laid on the table.

Mr. Mitchell having obtained leave, introduced a bill for issuing Auditor's Warrants, which was read the first time and ordered to be read a second time to-morrow.

Mr. Merrill, from the committee on education, reported a bill to provide for the sale of the seminary township in Gibson county, and for other purposes, which was read and ordered to be read a second time to-morrow.

Mr. Clark, from the select committee to whom was referred the petition of Eli Stark and others, praying for the removal of the seat of justice of Scott county, reported a bill for that purpose, which was read and ordered to a second reading to-morrow.

Mr. Miller, from the committee to whom was referred the petition of sundry citizens of Clark county, praying for the establishment of a state road from Charlestown to New Albany, by way of Utica and Jeffersonville, reported a bill for that purpose, which was read and passed to a second reading on to-morrow.

Mr. Maxwell, from the committee of propositions and grievances, reported that the said committee had according to order had under consideration the petition of certain persons, praying certain relief to be extended to James M'Cool, of Randolph county, and had directed him to report, that it is inexpedient to legislate upon the case of the petitioners.

In which report the House concurred.

Mr. Ferris, from the committee of ways and means, reported a bill making appropriations for the year 1822, which was read the first time and ordered to be read a second time to-morrow.

On motion of Mr. Beckes—

Resolved. That this House will use every possible exertion to prepare to adjourn *pro die* on Saturday next.

Mr. Ray from the committee to whom was referred the petition of Joseph A. Hopkins and others of the new purchase, praying that an act may be passed giving the citizens

of the new counties in the new purchase a portion of Representation in the General Assembly, reported a bill for that purpose, which was read and passed to a second reading to-morrow.

On motion by Mr. Johnston of Knox—

Resolved. That the business now before this House, and such as may hereafter be introduced shall be disposed of in the order in point of preference which it now stands or may assume.

The House proceeded to consider the orders of the day.

The bill to establish a board of magistrates, and abolishing the office of county Commissioners, was read a second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to amend the acts regulating elections and to change the mode of voting from balloting to *viva voce*, was read the second time, and Mr. Johnston of Knox moved that the further consideration of said bill be indefinitely postponed, which motion was decided in the negative—and the yeas and nays being demanded by Messrs. Johnston of Knox and Wright of Washington, the votes were as follows:—Yeas 10—Nays 23.

In the affirmative were,

Messrs. Becks,	Lane,
Benefield,	Merrill,
Brown,	Miller,
Chamberlin,	Murdoch,
Cox,	Powell,
Dixon,	Ray,
Ferris,	Reed,
Holman,	Shelby,
Johnston of Knox,	Waldo, and
	Wright of R.

And those in the negative were,

Messrs. Arion,	Kimberly,
Battell,	Kirkpatrick,
Bentley,	Lindsey,
Braman,	Maxwell,
Canby,	Milroy, of L.
Clark,	Prince,
Crisler,	Thompson,
Dewey,	Tipton,
Donaghe,	Wart,
Green,	Wallace
Johnson of Pike	Wright of V. and
	Mr. Speaker. 23

Mr. Merrill then moved that the said bill be recommended to a select committee with instructions so to amend it as to provide that voters may vote either *viva voce* or by ballot; and on that question it was decided in the negative, and the yeas and nays being demanded by Messrs. Shelby and Reed, the votes were as follows:—Yeas 15—Nays 27.

Those who voted in the affirmative were,

Messrs. Becks,	Merrill,
Benefield,	Miller,
Brown,	Mitchell,
Chamberlin,	Powell,
Cox,	Ray,
Dixon,	Reed,
Ferris,	Shelby, and
	Mr. Speaker 15

Those who voted in the negative were,

Messrs. Arion,	Kimberly,
Battell,	Kirkpatrick,
Bentley,	Lindsey,
Braman,	Maxwell,
Canby,	Milroy,
Clark,	Murdoch,

Crisler,
Dewey,
Donaghe,
Green,
Holman,
Johnston of K.
Johnson of P.

Prince
Thompson,
Tipton,
Vandever,
Waldo,
Wallace,
Wright of R. and
Wright of W. 27

Ordered, That said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to encourage the killing of wolves, was read the second time, and Mr. Thompson moved that the further consideration of said bill be postponed indefinitely; and on that question it was decided in the negative—and the yeas & nays being demanded by Messrs. Johnston of Knox, and Murdock, the votes were as follows:—Yeas 17—Nays 25.

Those who voted in the affirmative were

Messrs. Arion,
Beckes,
Braman,
Canby,
Crisler,
Donaghe,
Johnston of K.
Johnson of P.]

Kimberly,
Kirkpatrick,
Maxwell,
Milroy,
Prince,
Thompson,
Wright of K.
Wright of W. and
Mr. speaker 17.

Those who voted in the negative were,

Messrs. Battell,
Bensfield,
Bentley,
Brown,
Chamberlin,
Clark,
Crisler,
Dewey,

Lindsey,
Merrill,
Miller,
Mitchell,
Murdock,
Powell,
Ray,
Reed,

Gixson,
Ferris,
Holman,
Lane,

Shelby,
Tipton,
Vandever,
Wallace, and
Waldo 25.

Ordered, That said bill be committed to a committee of the whole House, and made the order of the day for to-morrow

The House adjourned till 2 o'clock P. M.

The House met pursuant to adjournment.

The bill to amend the act for the limitation of criminal prosecutions.

The bill to amend the act entitled an act to reduce into one act all acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in Chancery.

And the bill for the better regulation of the militia of the state of Indiana, were taken up and severally read the 3d time and passed.

Ordered, That said bills be entitled acts and that the Senate be informed thereof and their concurrence therein requested.

The engrossed bill from the Senate legalising the election of trustees of the county of Sullivan, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The bill to amend the act regulating the militia, was read the second time and ordered to be engrossed for a third reading to-morrow.

The House according to order again resolved itself into a committee of the whole, to consider the report of the com-

mitter of ways and means on the subject of the Revenue, and the bill authorizing a loan for the benefit of the state—Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Powell reported that the committee of the whole had according to order, had the said report and bill under consideration, and had gone through the same and had amended the said bill by striking it out from the enacting clause, in which amendment he was directed to ask the concurrence of the House—and on the question of concurring in said amendment, it was decided in the affirmative;—and the yeas and nays being demanded by Messrs. Ray and Johnston of Knox, the votes were as follows:—

In the affirmative were,

Messrs. Arion,

Beckes,

Benefield,

Bentley,

Braman,

Clark,

Dixson,

Donaghe,

Johnson of P.

Kimberly,

Kirkpatrick,

Lane,

Milroy,

And in the affirmative were,

Messrs. Battell,

Canby,

Chamberlin,

Cox,

Crisler,

Dewey,

Ferris,

Green,

Mitchell,

Murdock,

Powell,

Prince,

Ray,

Reed,

Thompson,

Tipton,

Vandever,

Waldo,

Wright of R.

Wright of W. and

Mr. Speaker, 26

Holman,

Johnston, of K.

Lindsey,

Maxwell,

Merrill,

Miller,

Shelby, and

Wallace 16.

On motion of Mr. Thompson—

The further consideration of said bill was indefinitely postponed.

On motion,

The report of the committee on ways and means on the subject of the Revenue, was recommitted to the said committee to consider and report thereon.

A message was received from the Senate by Mr. Blake, announcing that the Senate had passed an engrossed bill entitled an act for the formation of a new county out of Owen and Vigo counties, and north of Owen, in which the Senate request the concurrence of this House.

And he withdrew.

A message was received from the Governor by Mr. Moore, his private secretary, announcing that he did on this day approve and sign "An act to dissolve the bands of matrimony between Catherine Sellers (late Catherine Moffit) and her husband Nathan Sellers."

"An act supplementary to an act entitled an act for the relief of the poor."

"And an act establishing a permanent system of statute laws in this state. All of which originated in this House."

A message from the Senate by Mr. New assistant secretary, announcing that the Senate had passed an engrossed bill entitled an act providing for the organization of Union county, in which they ask the concurrence of this House.—

Also, an engrossed bill entitled an act attaching part of Wabash county to Owen county and for other purposes.

On motion,

The orders of the day were postponed for the present.

On motion by Mr. Dewey—

Resolved, That the Senate be requested to meet the House of Representatives in the Representative chamber at nine o'clock to-morrow morning, for the purpose of electing a revisor of the laws.

The House adjourned until 9 o'clock to-morrow morning.

TUESDAY MORNING, Dec. 18th, 1821.

House met pursuant to adjournment.

The engrossed bill from the Senate entitled an act for the formation of a new county out of the counties of Vigo and Owen, and north of Owen, was taken up and read twice (the rule being dispensed with) and committed to a committee of the whole, to whom was referred the several bills for new counties in the new purchase.

The engrossed bill from the Senate entitled an act providing for the organization of the county of Union, was read the first time.

And the bill from the Senate entitled an act attaching part of Wabash county to the county of Owen and for other purposes, was read the first time and the said bills were committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Wright of W. presented the petition of George Goss and others of Clark county, praying that a part of said county may be attached to the county of Washington, which was read and referred to a select committee of Messrs. Wright of W. Tipton, Thompson, Kirkpatrick and Braman, with leave to report thereon by bill or otherwise.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed the engrossed joint resolution respecting the impeachment of Curtis Gilbert, clerk of Vigo Circuit court, which originated in this House without amendment.

Mr. Miller from the committee to whom was referred so much of the Governor's message as relates to the state prison at Jeffersonville, reported a bill on that subject, which was read and passed to a second reading on to-morrow.

Mr. Milroy introduced a bill respecting county libraries and county agents, which was read and passed to a second reading on to-morrow.

Mr. Tipton presented the petition of Joseph Merrill, praying certain relief, which was read and referred to the committee of propositions and grievances to consider and report thereon.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had examined the following enrolled bills, and found the same truly enrolled to wit: "An act legalizing certain proceedings of the board of county Commissioners of Vigo county; "An act appointing Commissioners to relocate the seat of Justice of Crawford county; "An act dissolving the banns of matrimony between Polly Jenkins and her husband Josiah Jenkins."

"A memorial of the General Assembly of the state of Indiana to the Congress of the United States; "And a joint resolution concerning the public debt."

Whereupon,
The Speaker signed said bills.

Ordered; That the same be carried to the Senate for the signature of their president.

Mr. Powell from the committee on that subject, reported a

bill to relocate the state road from the town of Rising Sun in Dearborn county to the town of Nepoican in Ripley county, which was read and ordered to be read a second time to-morrow.

Mr. Braman from the select committee on that subject, reported a bill to amend the act defining and regulating the duties of constables, which was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the following resolution:—

Resolved. That the Senate will now meet the House of Representatives in the Representatives' chamber for the purpose of electing a revisor of the laws, and that the House of Representatives be informed thereof, and have appointed Mr. Slaughter teller on their part.

And he withdrew.

Ordered. That Mr. Ferris be appointed teller on the part of this House, and that the Senate be informed thereof.

The Senate came in and took their seats on the right of the Speaker's chair in the chamber of the House of Representatives, and the two Houses proceeded by joint ballot to the election of a revisor of the laws of this state, and upon examination of the ballots it appeared that the Hon. Benjamin Parke was duly elected revisor.

Whereupon,

The president of the Senate in the presence of both Houses of the General Assembly proclaimed the Hon. Benjamin Parke, duly elected revisor of the Statute laws of the state of Indiana.

The Senate retired to their chamber, and the House proceeded to consider the orders of the day.

The bill to provide for the sale of the Seminary township of land in Gibson county; and the bill authorising Representation in certain counties in this state, were taken up and severally read the 2d time and committed to a committee of the whole, and made the orders of the day for to-morrow.

The bill appointing commissioners to relocate the seat of Justice of Scott county, was read the second time and Mr. Powell moved that the further consideration of said bill be indefinitely postponed, and on that question it was decided in the affirmative, and the votes were as follows: Yeas 27. —Nays 13.—And the yeas and nays being demanded by Messrs. Powell and Beckes,

Those in the affirmative were,

Messrs. Arion,

Beckes,

Braman,

Canby,

Crisler,

Dewey,

Dixon,

Holman,

Johnston of K.

Johnson of P.

Kimberly,

Lane,

Lindsay,

Merrill,

Miller,

Milroy,

Powell,

Prince,

Ray,

Reed,

Shelby,

Vandever,

Waldo,

Wallace

Wright of R.

Wright of W. and

Mr. Speaker—27.

And those in the negative were,

Messrs. Benefield,

Bentley,

Brown,

Chamberlin,

Clark,

Cox,

Ferris,

Green,

Kirkpatrick,

Maxwell,

Mitchell,

Thompson, and

Tipton, 16

En

And the House adjourned until 1 o'clock, P. M.

House met pursuant to adjournment.

The bill to locate a road from Charlestown to New Albany by the way of Utica and Jeffersonville, was read the 2d time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill making appropriations for the year 1822, was read the 2d time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill authorising the issuing of Auditor's warrants and for other purposes, was read the 2d time—and Mr. Prince moved to postpone said bill indefinitely, and on that question it was decided in the negative, and the yeas and nays being demanded by Messrs. Prince and Wright of W. the votes were as follows:—Yeas 17—Nays 26.

Those who voted in the affirmative were.

Messrs. Battell	Holman,
Benefield,	Maxwell,
Canby	Merrill,
Cox,	Prince,
Crisler,	Ray,
Dewey,	Shelby,
Dixon,	Waldo,
Green,	Wallace, and
	Wright of R.

And those who voted in the Negative were,

Messrs. Arion,	Lane,
Beckes,	Lindsey,
Bentley,	Miller,
Brown,	Milroy,
Braman,	Mitchell,
Chamberlin,	Murdock,

Clark,
Donaghe,
Ferris,
Johnston, of K.
Johnson, of Pike,
Kimberly,
Kirkpatrick,

Powell,
Reed,
Thompson,
Tipton
Vandever,
Wright of W. and
Mr. Speaker.

Ordered, That said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill to amend the several acts for opening and repairing public roads and highways, was read the 3d time and passed—and on the question of its passage the yeas and nays being demanded by Messrs. Holman and Wright of W. the votes were as follows:—Yeas 28.—Nays 15.

In the affirmative were,

Messrs. Arion	Johnston of K.
Battell	Kimberly
Bentley	Kirkpatrick
Benefield,	Lindsey
Beckes	Maxwell
Braman	Merrill
Brown	Miller
Canby	Murdock
Chamberlin	Powell
Clark	Prince
Crisler	Ray
Dewey	Shelby
Ferris	Thompson and
Green	Wallace

And those who voted in the negative were,

Messrs. Cox	Milroy,
Dixson	Mitchell
Donaghe,	Tipton,

Holman
Johnston of P.
Lane

Waldo
Wright of R.
Wright of W. and
Mr. Speaker.

Ordered, That the said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed an engrossed bill entitled "An act authorising the laying off certain state roads in this state, and appropriating \$100,000 of the fund commonly called the three per cent. fund, for opening the said roads;" which bill was read the 1st time (and the rule being dispensed with) was read the second time by its title, and committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Speaker laid before the House the report of Elisha Tadlock trustee of the Seminary of Crawford county, by which it appears that he has in his hands one hundred dollars and fifty cents of the funds belonging to the Seminary of said county.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed an enrolled bill entitled an "Act appointing Commissioners to relocate the seat of Justice of Crawford county and for other purposes; " An act dissolving the bands of matrimony between Polly Jenkins and her husband Josiah Jenkins; " An act legalizing certain proceedings of the board of county Commissioners of Vigo county; " And also a joint resolution concerning the public debt."

And he withdrew.

The House according to order now resolved itself into a committee of the whole to consider the bill establishing the office of Attorney General, and providing for the appoint-

ment of Circuit prosecutors, Mr. Clark in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Clark reported that the committee of the whole, had according to order had the said bill under consideration and had made some progress therein—but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, Dec. 19, 1821.

House met pursuant to adjournment.

Mr. Wright of W. from the committee on the subject of fees, reported a bill to amend and confirm the act regulating fees, which was read twice, the rule being dispensed with, and committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Thompson from the select committee to whom was referred, the petition of Andrew P. Hay, Isaac Hawk, and others of Charlestown, praying certain relief, reported a bill to amend the act for the incorporation of Charlestown, which was read the first time, and on motion of Mr. Beckes, the said bill was rejected, and the yeas and nays being demanded on that question, the votes were as follow:

Those who voted in the affirmative were,
 Messrs. Arion, Lane,
 Beekes, Lindsey,
 Bentley, Merrill,
 Braman, Miller,
 Brown, Murdock,
 Canby, Powell,
 Chamberlin, Prince.
 Cox, Ray,
 Crisler, Shelby,
 Dixon, Vandever
 Ferris, Waldo,
 Green, Wallace.
 Holman, Wright of R.
 Johnson, of Pike, Wright of W. and
 Kirkpatrick, Mr. Speaker.
 Kimberly,

Those who voted in the negative were,
 Messrs. Benefeld Mitchell,
 Clark, Thompson, and
 Johnston of Knox, Tipton.
 Miller,

Mr. Thompson, having obtained leave, introduced a bill to amend the act regulating enclosures, which was read the first time and ordered to be read the second time to-morrow.

Mr. Canby, having obtained leave, introduced a bill for laying out certain permanent roads therein named, which was read and ordered to be read a second time to-morrow.

Mr. Wright, of W. presented the petition of sundry citizens of Washington county, praying for the abolition of banking, and that the emoluments of lucrative offices may be curtailed, and that a general system of retrenchment of public expenditures may be adopted, which was read and referred to the committee of propositions and grievances, with leave to consider and report thereon.

Mr. Wallace, from the select committee appointed to enquire into the expediency of changing the mode of listing taxable property, reported that the said committee had had that subject under consideration, and had directed him to report that, in the opinion of said committee, it is inexpedient to make any change.

In which report the house concurred.

Mr. Battell, having obtained leave, introduced a bill to amend the act to locate certain permanent roads therein named, which was read and passed to a second reading to-morrow.

Mr. Tipton, having obtained leave, introduced a bill amendatory to the several acts regulating the assessment and collection of revenue which was read twice, the rule being dispensed with, and committed to a committee of the whole house and made the order of the day for to-morrow.

Mr. Bentley, having obtained leave, introduced a bill to continue in force an act supplemental to "An act for locating certain permanent roads and for other purposes," which was read and passed to a second reading to-morrow.

Mr. Braman submitted the following resolution:

Resolved, That the committee on education be instructed to enquire into the expediency of laying a tax for the promotion of education, with leave to report by bill or otherwise—and on the question will the house adopt said resolution, it was decided in the negative.

The petition of the commissioners of Washington county was taken up and read--And,

On motion of Mr. Wright--

Referred to a select committee of Messrs. Wright, of W. Maxwell, Milroy, Kimberly and Thompson, with leave to

Report thereon by bill or otherwise.

Mr. Milroy submitted the following resolution, which was read and laid on the table.

Resolved, That the resolution of the General Assembly of the present session appropriating fifty dollars for a stove be repealed.

The house proceeded to consider the orders of the day.

On motion of Mr. Ferris—

The committee of the whole were discharged from the further consideration of the bill creating the office of Attorney General and providing for the appointment of circuit prosecutors—And,

On that question, the yeas and nays being demanded by Messrs. Canby and Shelby, the votes were as follows:

In the affirmative were,

Messrs. Benefield,	Lane,
Bentley,	Lindsey,
Braman,	Maxwell,
Brown,	Milroy, of L.
Chamberlin,	Mirdock,
Clark,	Powell,
Cox,	Shelby,
Dixon,	Thompson,
Ferris,	Vandever,
Green,	Wallace
Holman,	Wright of W. and
Kimberly,	Mr. Speaker.
Kirkpatrick,	

And those in the negative were,

Messrs. Arion,	Merrill,
Battell,	Miller,

Beekes,	Mitchell,
Canby,	Ray,
Dewey,	Tipton,
Donaghe,	Waldo, and
Johnston, of Knox,	Wright of R.
Johnson of Pike	

On motion of Mr. Thompson—

The further consideration of said bill was indefinitely postponed.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed an engrossed bill, dissolving the banus of matrimony between Liman Beeman and Sally Melott, in which they ask the concurrence of this house.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

The bill to appoint commissioners to view, mark and locate a road from Lawrenceburgh through Vevay to Madison, was read the second time and committed to a committee of the whole for to-morrow.

The house according to order now resolved itself into a committee of the whole to consider the bill attaching a part of Switzerland connty to the county of Ripley, Mr. Shelby in the chair, and after some time spent therein Mr. Speaker resumed the chair and Mr. Shelby reported that the committee of the whole had according to order had the said bill under consideration, and had made sundry amendments thereto, in which he asked the concurrence of the House.

On motion—

The House concurred in said amendments.

Mr. Merrill then moved to amend said bill, by striking out of the first section thereof, these words, "all that part of Switzerland county, lying north of a line commencing at the north east corner of Jefferson county; thence east till it intersects the old boundary line, shall be attached to and for a part of Ripley county," and insert in lieu thereof these words,

"So much of the county of Switzerland as lies north of the line running east from the north west corner of section thirty three, town six, range twelve, to the county of Dearborn, be and the same is hereby attached to the county of Ripley."

And on the question, Shall the bill be so amended? It was decided in the negative.

And the yeas and nays being demanded by Messrs. Merrill and Murdock, the votes were as follows:

In the affirmative were,

Messrs. Aclon,	Merrill,
Battell,	Powell,
Cauty,	Prince,
Cox,	Tipton,
Ferris,	Waldo,
Holman,	Wallace and
Kimberly,	Wright of R.
Maxwell,	

In the negative were,

Messrs. Beckes,	Kirkpatrick,
Benefield,	Lane,
Bentley,	Lindsey,
Braman,	Miller,
Brown,	Murdock,
Chamberlin,	Ray,
Clark,	Reed,

Dewey,
Dixson,
Green,
J. Johnston, of K.
Johnson of R.

Shelby,
Thompson,
Vandever,
Wright of W. and
Mr. Speaker,

The said bill was further amended, by Mr. Merrill, by adding the following provision to the first section thereof.

"That so much of the county of Switzerland, as lies north of the line running east from the north west corner of section thirty three, town six, range twelve, to the county of Dearborn, be and the same is hereby attached to the county of Ripley."

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate by Mr. New, assistant secretary, announcing that the Senate had passed the bill from this House, authorising the writ of replevin, in certain cases, and the bill to amend the act for the limitation of criminal prosecutions, without amendment, and also a bill from this House to amend the act, to reduce into one act, all acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery, with sundry amendments, in which amendments he asked the concurrence of this House.

And he withdrew.

And the House adjourned till one o'clock P. M.

House met pursuant to adjournment.

The bill appointing commissioners to relocate the state road from the town of Rising Sun to Nepolian.

The bill to amend the act defining the duties of constables—And,

The bill relative to the state prison at Jeffersonville, were taken up and severally read a second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act attaching part of Wabash county to the county of Owen, and for other purposes, was read the second time and committed to a committee of the whole House, to whom was referred, the several bills for new counties in the New Purchase.

The House according to order, now resolved itself into a committee of the whole, to consider the bill to amend the several acts respecting replevins, executions and sales of property, Mr. Wright of Randolph in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wright reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning nine o'clock.

THURSDAY MORNING, Dec. 20, 1821.

The House met pursuant to adjournment.

On motion—

Resolved, That his Excellency the Governor be requested to communicate to the Speaker of this House, a detail

of facts respecting that part of the three per cent. fund, which has heretofore been appropriated to the Jeffersonville Ohio Canal Company, and that a committee be appointed to communicate this resolution to his Excellency—And,

Thereupon,

Messrs, Dewey and Tipton were appointed said committee.

Mr. Prince presented the petition of sundry citizens of Posey county, praying that a part of said county may be attached to the county of Gibson, which was read and referred to a select committee of Messrs. Prince, Donaghe, Johnson of P. Vandever and Beckes, with leave to report thereon by bill or otherwise.

Mr. Wright from the select committee to whom was referred, the petition of George Goss and others of Clark county, praying that a part of said county may be attached to the county of Washington, reported a bill for that purpose, which was read the first time, and ordered to be read a second time to-morrow.

Mr. Maxwell having obtained leave, introduced a bill providing for the election of President and trustees of the Monroe county Library, which was read, and passed to a second reading to-morrow.

Mr. Tipton from the committee of free conference, on the subject matter of dispute between the two Houses, on the amendment made by the Senate, to the bill for the relief of James Beese and John Eastburn, made the following report:

Mr. Speaker,

The managers on the part of this House, have agreed to recede in part from their disagreement to the amendment

made by the Senate to the bill for the relief of James Besse and John Eastburn, and the managers on the part of the Senate have receded, in part, from their adherence to said amendment, and the managers aforesaid have agreed to insert "one hundred and fifty" in lieu of the words, "two hundred," as a compensation to said Besse and Eastburn—in which report the House concurred.

And on the question of concurrence, the yeas and nays being demanded by Messrs. Johnston of Knox and Murdock, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Arion,	Kimberly,
Bentley,	Kirkpatrick,
Braman,	Miller,
Brown,	Merrill,
Canby,	Mitchell,
Chamberlin,	Prince,
Clark,	Ray,
Dewey,	Reed,
Ferris,	Tipton and
Green,	Mr. Speaker 20

Those who voted in the negative were,

Messrs. Beckes,	Milroy,
Benefield,	Murdock,
Cox,	Powell,
Crisler,	Shelby,
Dixon,	Vandever,
Donaghe,	Waldo,
Holman,	Wallace,
Johnston of K.	Wright of R. and
Johnson of P.	Wright of W. 19
Maxwell,	

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Graham, announcing that the Senate had concurred in the report of the managers from the committee of free conference appointed on the subject of the disagreement between the two Houses, on the amendment made by the Senate, to the bill for the relief James Besse and John Eastburn.

Mr. Reed presented the petition of William Kelly and others, praying a state road from New Albany to Vincennes, by way of Hindestan and Washington, which was read and laid on the table.

Mr. Wright from the select committee to whom was referred, the petition of the commissioners of Washington county, reported a bill authorising county commissioners, to appoint their own clerks, which was read the first time, and Mr. Beckes moved that said bill be rejected; which motion was decided in the negative.

And the yeas and nays being demanded by Messrs Beckes and Johnston of Knox, the votes were as follows:

Those who voted in the affirmative were

Messrs. Arion,	Johnston of K.
Beckes,	Johnson of P.
Crisler,	Mitchell,
Dewey,	Reed and
Donaghe,	Wallace. 10.

Those who voted in the negative were,

Messrs. Benefield,	Lindsey,
Beasley,	Maxwell,
Braman,	Merrill,
Brown,	Miller,
Canby,	Milroy,
Chamberlin,	Murdock,
Clark,	Powell,

COX,
DIXSON,
FERRIS,
GREEN,
HOLMAN,
KIMBERLY,
KIRKPATRICK,
LANE,

RAY,
SHELBY,
TIPTON,
VANDAVER,
WALDO,
WRIGHT OF R.
WRIGHT OF W. AND
MR. SPEAKER SO.

Ordered, That said bill be read a second time to-morrow.

The House now proceeded to consider the amendments made by the Senate, to the engrossed bill from this House, entitled An act to amend the act reducing into one, all acts and part of acts, now in force in this state, regulating proceedings in actions, at law and suits in chancery, and the said amendments were taken up and severally read and concurred in, except the one made by striking out the 14th section of said bill, and inserting a section in lieu thereof, numbered 14, in which amendment the House refused to concur.

Ordered, That the Senate be informed thereof.

Mr. Prince from the committee to whom was referred, the petition of sundry citizens of Posey county, praying that a part of said county, may be attached to the county of Gibson, reported a bill for that purpose, which was read and passed to a second reading on to-morrow.

Mr. Mitchell having obtained leave, introduced a bill authorising the issuing writs of quo warranto against the bank of Vincennes the state bank of Indiana and for other purposes, which was read the first time and ordered to be read a second time to-morrow.

A message from the Senate by Mr. Blake.

Mr. Speaker,
The Senate recede from the amendment made by them to

The engrossed bill entitled an act to amend the act, reducing into one all acts and parts of acts now in force in this state, regulating proceedings in actions at law and suits in chancery, which originated in the House of Representatives, which amendment was striking out the 14th section of the bill, and inserting one in lieu thereof numbered 14.

And he withdrew.

The House according to order, now resolved itself into a committee of the whole, to consider the bill to amend the several acts respecting replevins, executions and sales of property. Mr. Wright of Randolph in the chair, and after some time spent therein Mr. Speaker resumed the chair and Mr. Wright reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,
Leave was given.

And then the House adjourned till 2 o'clock, P. M.

House met pursuant to adjournment.

A message was received from the Senate by Mr. Morrison, announcing that the Senate had passed the engrossed bill from this House, entitled An act for the better regulation of the militia of the state of Indiana with sundry amendments, in which amendments they request the concurrence of the House of Representatives.

And he withdrew.

And the said amendments were read and concurred in by this House.

Ordered, That the Senate be informed thereof.

The House according to order, again resolved itself into a committee of the whole, on the bill to amend the several acts respecting replevins, executions, and sales of property, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Wright of Randolph reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made sundry amendments to the same, in which he asked the concurrence of the House—and the said amendments were severally read at the clerk's table, and concurred in by the House.

Mr. Dewey then moved further to amend said bill, by adding the following provision to the last section thereof: "*Provided nevertheless*, That judgments in the Circuit Courts which have been heretofore replevined, or which may be replevined before the first day of June next, shall not be subject to the provisions of this act, but shall in all respects be proceeded in as if the same had not been passed.

And on the question, Shall the bill be so amended? It was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Maxwell and Dewey, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Battell,
Benefield
Brannan,
Clark,
Crisler,
Dewey,
Dixon,
Donaghe,
Green,
Johnson, of Pike.

Kimberly,
Kirkpatrick,
Maxwell,
Merrill,
Prince,
Reed,
Shelby,
Tipton,
Vandever,
Wright of W. and
Mr. Speaker.

Those who voted in the negative were,

Messrs. Arion,	Miller,
Beckos,	Milroy,
Bentley,	Mitchell,
Brown,	Murdock,
Canby,	Powell,
Cox,	Ray,
Ferris,	Thompson,
Holman,	Walds,
Johnston of Knox,	Wallace, and
Lane,	Wright of R. 20.

On motion,

The said bill was ordered to lie on the table.

A message was received from the Senate by Mr. Morrison, their secretary, announcing that the Senate had passed an engrossed bill entitled "An act authorising John McDonald and William McCartney, to erect mills upon Fall creek, at the falls thereof," in which they ask the concurrence of the House of Representatives.

And he withdrew.

And the said bill was read twice (the rule being dispensed with) and ordered to be read the third time to-morrow.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed an engrossed bill entitled an act to repeal part of an act authorising the building of a state prison and for other purposes, in which they desire the concurrence of the House of Representatives.

And he withdrew.

And the said bill was read the first time and laid on the table.

The House adjourned until 9 o'clock to-morrow morning.

FRIDAY MORNING, Dec. 21, 1821.

The House met pursuant to adjournment.

Mr. Dewey from the select committee to whom was referred, the petition of sundry citizens, praying the establishment of a state road from Levenworth to Hindosten, and thence to Terre Haute, reported a bill for that purpose, which was read the first time and ordered to be read a second time to-morrow.

Mr. Dewey from the select committee to whom was referred, the petition of sundry citizens, praying for an extension of certain leases, reported a bill supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs, which was read the first time and ordered to be read the second time to-morrow.

Mr. Dewey presented the petition of Henry Westfall and others, praying for the formation of a new county out of the county of Orange and Washington, which was read and referred to a select committee of Messrs. Dewey, Wright of W. Wallace, Milroy and Tipton, with leave to report thereon by bill or otherwise.

Mr. Milroy submitted the petition of sundry citizens of Jackson county, praying that a portion of said county be attached to the county of Lawrence, which petition was read and referred to a select committee of Messrs. Milroy, Braman, Maxwell, Lindsey, and Wright of W. with leave to report thereon by bill or otherwise.

The Speaker laid before the House the report of Eli Lea trustee of public Seminary of Monroe county, from which it appears there is in his hands the sum of twelve dollars and fifty cents of the funds of said county Seminary.

The Speaker also presented the report of P. Callon trustee of public Seminary of the county of Lawrence, from

which it appears there is in his hands the sum of one hundred and sixty four dollars and fifteen cents, of the funds belonging to the Seminary of said county.

On motion of Mr. Prince—

The House proceeded to consider the engrossed bill from the Senate entitled an act authorising the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the said roads.—And

On motion of Mr. Murdock—

The House now resolved itself into a committee of the whole on said bill, Mr. Brown in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brown reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein—but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

The House adjourned till 2 o'clock P. M.

House met pursuant to adjournment.

The engrossed bill from the Senate, entitled an act authorising John McDonald and William M. Cartney, to build mills on Fall creek at the falls thereof, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill attaching part of the county of Swift

Merland to the county of Ripley, was read the third time and laid on the table.

The bill authorising county Commissioners to appoint their own clerks, was read the second time and committed to a committee of the whole, and made the order of the day for to-morrow.

The bill attaching part of Posey county to the county of Gibson, was read the second time and ordered to be engrossed for a third reading on to-morrow.

The bill attaching part of Clark county to the county of Washington, was read the second time and committed to a committee of the whole House and made the order of the day for Monday next.

The engrossed bill from the Senate, entitled an act repealing part of an act authorising the building of a state prison and for other purposes, was read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill authorising an election of President and trustees of the Monroe county library, was read the second and third times, (the rule being dispensed with) and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The bill authorising a writ of quo warranta to issue against the bank of Vincennes the state bank of Indiana, and for other purposes, was read the second time and committed to a committee of the whole House and made the order of the day for to-morrow.

The House according to order, resolved itself into a committee of the whole, to consider the bill for the relief of Robert Gray and Reuben H. Murray, and after some time spent

therein, Mr. Speaker resumed the chair and Mr. Morris reported, that the committee of the whole, had according to order, had the said bill under consideration and had made an amendment to the same, in which they ask the concurrence of the House.

On motion—

The House concurred in said amendment.

Ordered, That said bill be engrossed for a third reading to-morrow.

The house according to order now resolved itself into a committee of the whole, to consider the several bills for new counties in the New Purchase, Mr. Lane in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Lane reported, that the committee of the whole, had according to order, had the said several bills under consideration, and had gone through the bill for the formation of Centre county, and the bill for the formation of Marion county, and also the bill for the formation of Decatur county, and had made sundry amendments to said bills, in which amendments he asked the concurrence of the House; and the committee not having had time to go through the several other bills referred to them, had directed him to report progress and ask leave to sit again.

Whereupon,

Leave was given.

On motion—

The House concurred in the amendments made in committee of the whole, to the three former bills, and the said bills were ordered to be engrossed for a third reading to-morrow.

And the House adjourned till to-morrow morning nine o'clock.

SATURDAY MORNING, Dec. 22d 1821.

The House met pursuant to adjournment.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had examined the following enrolled bills, and had found the same truly enrolled viz:—

An act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 23, 1820.—A joint resolution respecting the trial of the impeachment of Curtis Gilbert clerk of the Circuit court of Vigo county.—An act to amend the act reducing into one all the acts and parts of acts now in force in this state, regulating proceedings in actions at law and suits in Chancery.—An act authorising the writ of replevin.—And an act for the relief of James Besse and John Eastburn.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate for the signature of the president thereof.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed the aforesaid bills.

Mr. Milroy from the select committee to whom was referred the petition of sundry citizens of Jackson county praying that a part of said county may be attached to the county of Lawrence, reported a bill for that purpose, which was read twice (the rule being dispensed with) and committed to a committee of the whole House, and made the order of the day for Monday next.

A message was received from the Governor by H. H. Moore Esqr. his private Secretary, which was read and is as follows:—

CORYDON, Dec. 21st, 1821.

THE HONORABLE,

The Senate and House of Representatives.

At the request of the corporation of the City of Washington, in the district of Columbia, I enclose a letter addressed to me, and a memorial addressed to the General Assembly on the subject of authorising the said corporation to vend Lottery tickets in this state.

Very Respectfully, &c.

JONATHAN JENNINGS.

The said communication and documents after being read were referred to a select committee of Messrs. Murdock, Johnston of Knox, Prince, Lane and Merrill, with leave to report thereon by bill or otherwise.

The bill supplemental to an act to prevent waste on lands reserved for the use of schools, was read the second time and committed to a committee of the whole House, and made the order of the day for Monday next.

The House according to order resolved itself into a committee of the whole to consider the bills for the formation of new counties in the new purchase, and the bill giving representation to certain counties in the new purchase; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lane reported, that the committee of the whole had according to order had the said several bills under consideration, and had gone through the bill for the formation of Rush county; the bill for the formation of Henry county; the engrossed bill from the Senate for the formation of Morgan county; and the bill attaching part of Wabash county to the county of Owen and for other purposes, and had made several amendments to said bills—in which amendments he asked the concurrence of the House; and that the commit-

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tea not having had time to go through the several other bills referred to them, had directed him to ask leave to sit again.

Whereupon,
Leave was given.

On motion—

The House concurred in the several amendments made in committee of the whole to the four bills before mentioned ;— and the said bills were ordered to be engrossed and read a third time on Monday next.

The bill to establish a state road from Levenworth to Terre Haute by way of Hindostan, was read the 2d time, and Mr. Beekes moved that the further consideration of said bill be indefinitely postponed ; which motion was decided in the negative, and the yeas and nays being demanded by Messrs. Murdock and Beekes, the votes were as follows :—Yeas 10; —Nays 27.

Those in the affirmative were,

Messrs. Beekes,
Brown,
• Ferris,
Green,
Kimberly,

And those in the negative were,

Messrs. Arion,
Battell,
Benefield,
Brawan,
Canby,
Clark,
Cox,
Crisler,
Dewey,
Dixon,
Holman,
Johnson of P.
Kirkpatrick,

Johnston of K.
Merrill,
Murdock,
Vandever, and
Wright of R.

Lane,
Miller,
Milroy,
Mitchell,
Powell,
Prince,
Reed,
Shelby,
Thompson,
Tipton,
Waldo,
Wallace
Wright of W. and
Mr. Speaker.

On motion—

Ordered, That said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

And the House adjourned till half after 1 o'clock, P. M.

The House met pursuant to adjournment.

The House according to order now again resolved itself into a committee of the whole, to consider the bills for the formation of new counties in the new purchase ; and the bill authorising representation to certain counties in the new purchase, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lane reported, that the committee of the whole had according to order, had under consideration an engrossed bill from the Senate entitled an act for the formation of a new county out of the counties of Owen and Vigo, and north of Owen, and had made sundry amendments to the same ; in which amendments he was directed to ask the concurrence of the House—and that the committee had also had under consideration a bill authorising representation to certain counties in the new purchase, and had amended the same by striking it out from the enacting clause, in which amendments he asked the concurrence of the House.

On motion—

The House concurred in the amendments made in committee of the whole to the former bill, and the same was ordered to be engrossed for a third reading on Monday next.

On motion of Mr. Murdock—

The latter bill was indefinitely postponed.

The House proceeded to consider the engrossed bill at

aching part of the county of Switzerland to the county of Ripley, which was read a third time on yesterday and laid on the table, and on the question, shall this bill pass? It was carried in the affirmative, and the yeas and nays being demanded by Messrs. Kimberly and Maxwell, the votes were as follows:—Yeas 28—Nays 16.

In the affirmative were,

Messrs. Beckes	Johnston of P.
Benfield,	Kirkpatrick
Bentley	Lane
Brown	Lindsey
Canby	Milroy,
Clark	Mitchell
Cox	Murcock
Crisler	Powell
Dewey	Ray
Dixon	Reed
Ferris	Thompson and
	Mr. Speaker.

And those who voted in the negative were,

Messrs. Arion	Merrill
Battell	Miller
Braman	Prince
Donaghe,	Shelby
Holman	Tipton
Johnston of K.	Vandever
Kimberly	Wallace
Maxwell	Wright of R. and
	Mr. Speaker

Ordered. That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.—Messrs. Johnston of Knox and Merrill handed in the following protest against the passage of said bill.

“The undersigned in the name of themselves and their constituents, *Protest* against the passage of the above act at

aching part of the county of Switzerland to the county of Ripley, because by the 12th Sec. of the 11th Article of the Constitution of this state, it is provided “That the General Assembly when they lay off any new county shall not reduce the old county or counties from which the same shall be taken to a less content than four hundred square miles.” And the county of Switzerland being formed and organized previous to the formation of the Constitution, must of course by a fair construction of the phraseology used, have been included in the proviso, and being then less than the 400 square miles, admits of no reduction in extent—because if so, diminution upon diminution might ultimately reduce such county to a nominal extent, and insignificant character.”

December 22d, 1821.

G. W. JOHNSTON.
SAMUEL MERRILL.

The engrossed bill for the relief of Robert Gray and Benjamin H. Merry, was read the third time and passed, and on the question of its passage, the yeas and nays being demanded by Messrs. Murdock and Kimberly, the votes were as follows:—

In the affirmative were,

Messrs. Battell,	Kirkpatrick,
Beckes,	Lindsey,
Benfield,	Maxwell,
Bentley,	Merrill,
Braman,	Miller,
Brown,	Milroy, of E.
Canby,	Powell,
Clark,	Prince,
Dewey,	Ray,
Dixon,	Reed,
Donaghe,	Thompson,
Ferris,	Tipton,
Holman,	Wallace.

Johnston of P.

Wright of R. and
Mr. Speaker 29.

And those in the negative were,

Messrs. Cox,

Kimberly,

Murdock,

Shelby,

Vandever and

Wright of W.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested. The bill attaching part of Posey county to the county of Gibson.

The bill for the formation of Marion county north of Bartholomew county; and the bill for the formation of Decatur county north of Jennings county, were taken up and severally read the third time and passed.

Ordered, That said bills be entitled acts, and that the Senate be informed thereof, and their concurrence therein requested.

The bill for the formation of Centre county, out of Delaware county, was read the third time and passed.—And on the question of its passage the yeas and nays being demanded by Messrs. Johnston of Knox and Murdock, the votes were as follows:—

Those who voted in the affirmative were

Messrs. Beckes,

Bentley,

Braman,

Casby

Cox,

Crisler,

Dixon,

Ferris,

Holman,

Johnson, of Pike,

Kimberly,

Law,

Lindsey,

Maxwell,

Merrill,

Mitchell,

Murdock,

Powell,

Thompson,

Vandever,

Wallace, and

Wright of R. 27

And those who voted in the Negative were,

Messrs. Arion,

Benefield,

Brown,

Johnston, of K.

Kirkpatrick,

Müller,

Prince,

Reed,

Shelby,

Tipton

Wright of W. and

Mr. Speaker 12.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The House according to order now resolved itself into a committee of the whole, to consider the bill from the Senate entitled an act for laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the same; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Brown reported, that the committee of the whole, had according to order, had the said bill under consideration and had made some progress therein—but not having had time to go through the same, had directed him to report progress, and ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, Dec. 23. 1821.

The House met pursuant to adjournment.

Mr. Speaker laid before the House the following communication from his Excellency the Governor, which was read and is as follows :

*To the Senate and
House of Representatives,*

Persuant to an application, respectable and consonant in its character—I submit to the General Assembly in conformity to the request, the propriety of appointing a day of fasting and humiliation and of prayer to Almighty God, that he would avert those judgments that have impended our land, and that He would in his manifold mercies, bless our country with fruitful seasons, and our citizens with health.

Corydon, Dec. 22d, 1821.

JONATHAN JENNINGS.

On motion—

The said communication was referred to a select committee of Messrs. Kimberly, Lane and Maxwell, with leave to consider and report thereon.

Mr. Dewey from the select committee to whom was referred the petition of sundry citizens of Orange and Washington counties, praying for a new county from those and other counties, reported that the said committee had had the said petition under consideration, and were of opinion that it would be inexpedient to grant the request of the petitioners, in which report the House concurred.

Mr. Mitchell offered the following resolution, which was read and adopted :

Resolved, That the treasurer of state be requested to furnish this House with a statement of the amount of the notes of the state Bank and its branches, designating each Bank separately, which are now in the treasury ; and that the Auditor of public accounts be requested to furnish the House with a statement of what amount is now due from the different Sheriffs and Collectors, which may have been authorised to be collected in notes of the state bank and its branches.

Mr. Kirkpatrick presented the petition of James B. Crail and others, praying for certain relief therein named, which was read and referred to a select committee of Messrs. Kirkpatrick, Mitchell, Green and Thompson, with leave to consider and report thereon.

Mr. Lane from the committee for enrolled bills, reported, that the said committee did on the 22d instant present to his Excellency for his approbation and signature, an act to amend the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery.

An act for the relief of James Besse and John Eastburn.
An act authorising the writ of replevin.

An act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 23d, 1820.

A joint resolution respecting the trial of the impeachment of Curtis Gilbert clerk of the Circuit court of Vigo county.

An act appointing Commissioners to relocate the seat of Justice of Crawford county and for other purposes.

An act legalizing certain proceedings of the board of county Commissioners of Vigo county.

And a joint resolution respecting the public debt.

It

The House proceeded to consider the orders of the day.

The engrossed bill for the formation of Henry county out of the county of Delaware; & for the formation of the county of Rush west of Franklin and Fayette, were severally read the third time and passed.

Ordered, That the said bills be entitled acts—and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill from the Senate entitled an act for the formation of a new county out of the counties of Owen and Vigo and north of Owen; and the engrossed bill from the Senate for the formation of Morgan county out of the counties of Delaware and Wabash, were taken up and severally read the third time and passed as amended.

Ordered, That the Senate be informed thereof, and their concurrence in said amendments requested.

The House now proceeded to consider the bill to amend the several acts respecting replevins, executions and sales of property.

On motion of Mr. Reed—

The House reconsidered the vote taken on the amendment heretofore offered by Mr. Dewey, the question then recurring on the adoption of the said amendment—but before the question was put—

On motion of Mr. Merrill—

The said amendment was stricken out from the word "Provided," and the word "and" was inserted.

Whereupon,

Mr. Dewey obtained leave to withdraw [said amendment.

Mr. Lane moved that the House reconsider the vote taken on concurring in an amendment made in committee of the whole to said bill, by adding an eleventh section thereto, which is as follows: "The operation of this act except as to property exempted from execution, shall be limited to debts contracted or causes of action, that may arise prior to the first day of June next, and all debts contracted or causes of action arising after that date shall be collected agreeably to the provisions of the act entitled 'an act subjecting real and personal estate to execution, approved January seven, 1818.'" And the eighteenth section of an act entitled "an act regulating the jurisdiction and duties of Justices of the peace approved January 28th, 1818. "And these laws are hereby revived as relates to debts contracted or causes of action arising after the aforesaid first day of June, and all acts and parts of acts passed after the first day of March 1818, coming within the purview of the aforesaid revived acts and parts of acts, be, and the same is hereby repealed: *Provided*, That such repeal and revival shall not affect debts or causes of action arising prior to the first day of June next," which motion was carried in the affirmative; the question then recurring, will the House adopt said amendment? Which was decided in the negative.

Mr. Merrill then moved to amend the said bill, by adding to the 10th section the following provision: "The benefit of this act shall not extend to judgments against officers of justice and attorneys at law, for money collected by them by virtue of their offices and collectors, nor to judgments in the Circuit court, that have been and shall be replevied, and the time of such replevy shall not have expired on the first day of June next, unless such replevying person and his securities, shall on or before the said first of June, file in the Clerks' office a relinquishment of the benefit of such replevy, and such relinquishment being so made, shall authorize the issuing execution on the replevy bond, as if the time of such replevy had expired;" which was read and adopted.

And the House adjourned until 2 o'clock, P. M.

House met pursuant to adjournment.

A message was received from the Senate by Mr. Week, announcing that the Senate had concurred in the amendments made by the House of Representatives to an engrossed bill from the Senate, entitled an act for the formation of a new county out of the counties of Owen and Vigo and north of Owen; also, an act for the formation of a new county out of the counties of Delaware and Wabash.

And he withdrew.

The House again proceeded to consider the bill to amend the several acts respecting replevin, executions and sales of property, and Mr. Tipton moved to postpone the said bill indefinitely—which motion was decided in the negative, and the yeas and nays being demanded by Messrs. Tipton and Johnston of Knox, the votes were as follows:—Yeas 16. and nays 27.

And those who voted in the affirmative were,

Messrs. Battell,	Lindsay,
Braman,	Mitchell,
Cox,	Murdoch,
Dixon,	Prince,
Donaghe,	Tipton,
Green,	Vandever,
Johnson of R.	Wright of W. and
Kirkpatrick,	Mr. speaker 16.

Those who voted in the negative were,

Messrs. Arion,	Kimberly,
Beckee,	Lane,
Bennfield,	Maxwell,
Bentley,	Merrill,
Brown,	Muller,
Canby,	Murray,
Chamberlin,	Rosen,

Clark,
Crisler,
Covey,
Ferris,
Holman,
Johnston of K.

Ray,
Reed,
Shelby,
Thompson,
Waldo,
Wallace, and
Wright of K.

Mr. Wright of Washington offered the following amendment to the said bill: "Provided, That after the first day of June next, all the acts and parts of acts in force on the fourth day of July 1818, on the subject of replevin and stay of execution and sale of property either real or personal on execution as relates to debts or causes of action accruing after the said first day of June next, be, and the same is hereby revived, except that the stay of execution in all cases shall be six months under the regulations and restrictions prescribed in the aforesaid revived acts; all acts and parts of acts coming within purview of the aforesaid revived acts be and the same is hereby repealed after the aforesaid first day of June next; And provided also, That such repeal and revival shall not affect any debt or cause of action accruing or judgment obtained, previous to that date," which was decided in the negative.

And the yeas and nays being demanded by Messrs. Wright of W. and Vandever, the votes were as follows:—Yeas 15. Nays 23.

In the affirmative were,

Messrs. Braman,	Johnson of P.
Chamberlin,	Kirkpatrick,
Clark,	Maxwell,
Cox,	Mitchell,
Crisler,	Milroy,
Donaghe,	Vandever,
Ferris,	Wright of W. and
	Mr. Speaker,

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In the negative were,

Messrs. Arion,
Battell,
Beckes,
Benefield,
Bentley,
Brown,
Canby,
Crisler,
Dewey,
Green,
Holman,
Johnston, of K.,
Kimberly,

Lane,
Lindsey,
Miller,
Merrill,
Murdoch,
Powell,
Prince,
Ray,
Reed,
Shelby,
Tipton,
Waldo,
Wallace and
Wright of R.

Ordered, That the said bill be engrossed for a third reading to-morrow.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed the engrossed bill from this House entitled an act attaching part of Posey county to the county of Gibson without amendment; also a resolution which was read and is as follows:

Resolved, That the Senate will adjourn on Friday next, precisely at twelve o'clock *sine die*, and that the House of Representatives be informed thereof, and a similar resolution requested on their part.

On motion—

The said resolution was laid on the table.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed an engrossed bill from this House, to amend the several acts for opening and repairing public roads and highways, with several amend-

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ments thereto, in which they assented the concurrence of this House.

And he withdrew.

And the said amendments were read and rejected, except the one made to the fifth section, which was concurred in by the House.

Ordered, That the Senate be informed thereof.

The committee of the whole to whom was referred the bill from the Senate entitled an act requiring certain Public Officers to give further security when the original shall remove, become insolvent or insufficient, were—

On motion—

Discharged from the further consideration thereof, and the said bill was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House according to order now resolved itself into a committee of the whole, to consider the bill to amend the act defining the duties of recorders, Mr. Lindsey in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lindsey reported, that the committee of the whole had according to order had the said bill under consideration, and had made an amendment to the same by striking it out from the enacting clause; in which amendment he was directed to ask the concurrence of the House.

On motion—

The House concurred in said amendment.

On motion of Mr. Murdoch—

The further consideration of the said bill was indefinitely postponed.

The committee of the whole, to whom was referred the bill preparatory to the appropriation of the three per cent fund, were—

On motion—

Discharged from the further consideration thereof.—And

On motion—

The said bill was indefinitely postponed.

The engrossed bill from the Senate, entitled an act for repealing the act now in force authorising the Governor to appoint Justices of the peace at Indianapolis, was read the third time—And,

On motion—

The further consideration thereof, was indefinitely postponed.

A message was received from the Governor by H. M. Moore Esq. his private secretary, announcing that he did on Saturday last approve and sign "An act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 22d 1821; An act legalizing certain proceedings of the board of county Commissioners of Vigo county; An act for the relief of James Besse and John Eastburn; A joint resolution concerning the public debt; And a joint resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of the Circuit court of Vigo county.—And that he did on this day approve and sign "An act authorising the writ of replevin; And an act appointing Commissioners to relocate the seat of Justice of Crawford county, and for other purposes."

The House now according to order resolved itself into a committee of the whole, to consider the bill for the relief of Wm. H. Ewing, Mr. Vandever in the chair, and after some

time spent therein, Mr. Speaker resumed the chair, and Mr. Vandever reported that the committee of the whole had according to order had the said bill under consideration, and had made an amendment thereto, in which amendment he was directed to ask the concurrence of the House.

On motion—

The House concurred in said amendment.

Mr. Johnston of Knox moved to strike out the amendment made in committee of the whole, which motion was decided in the negative, and the yeas and nays being demanded by Messrs. Johnston of Knox and Beckes, the votes were as follows:—Yeas 17—Nays 22.

Those who voted in the affirmative were,

Messrs. Arion,
Benefield,
Bentley,
Brown,
Canby,
Chamberlin,
Dixson,
Green,

Holman,
Johnston of K.
Kimberly,
Kirkpatrick,
Miller,
Powell,
Reed,
Shelby, and
Wright of R.

Those who voted in the negative were,

Messrs. Battell,
Braman,
Cox,
Crisler,
Dewey,
Donaghe,
Ferris,
Johnson of P.

Merrill,
Milroy,
Mitchell,
Prince
Ray,
Thompson,
Tipton
Vandever,

Lane
Lindsey,
Maxwell,

Wallace,
Wright of W. and
Mr. Speaker

Mr. Beckes then moved to amend the said bill by striking out the "25th day of March," and inserting in lieu thereof, the "1st day of February," which amendment was read and adopted by the House.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed an engrossed bill divorcing Sally M. Mosely, from her husband Fielding G. Mosely—in which they desire the concurrence of this House.

And he withdrew.

A message was received from the Senate by Mr. Cotton, announcing that the Senate had receded from all their amendments to the bill for opening public roads and highways,

And he withdrew.

A message was received from the Senate by Mr. Clark, announcing that the Senate had passed a bill dividing the state into Congressional districts, in which they require the concurrence of the House of Representatives.

A message was also received from the Senate by Mr. Cotton, announcing that the Senate had passed a bill attaching part of Switzerland county to the county of Ripley, without amendments.

And the House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, Dec. 25, 1821.

House met pursuant to adjournment.

The engrossed bill from the Senate, divorcing Sally M. Mosely from her husband, Fielding G. Mosely, was taken up and read twice, the rule being dispensed with—And,

On motion of Mr. Ferris—

Was amended by striking out the words "so far as it respects the said Sally."

On motion—

The said bill was ordered to be read the third time to-morrow.

Mr. Maxwell, from the committee of propositions and grievances, to whom was referred the petition of Joseph Merrill, of Harrison county, praying that this state refund to him the amount of certain Treasury bills stolen from the petitioner, reported that the said committee had had the said petition under consideration, and had instructed him to report, that in the opinion of the said committee, it is inexpedient to legislate on the subject.

On motion,

The House concurred in said report.

Mr. Prince, from the judiciary committee, reported a bill to provide for Judicial Circuits and for fixing the time of holding courts; which was read twice, the rule being dispensed with, and committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Maxwell having obtained leave, introduced a bill providing for additional trustees for the State Seminary,

and for other purposes, which was read twice, the rule being dispensed with.

Ordered, That the said bill be engrossed for a third reading to-morrow.

Mr. Prince, from the judiciary committee, to whom was referred the bill to amend the act directing the mode of proceeding in impeachment, approved January 21st, 1818, reported that the said committee had had that subject under consideration, and had directed him to report a substitute therefor, which was read twice, the rule being dispensed with, and committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Tipton, offered a joint resolution of the General Assembly of the state of Indiana, to provide for printing and distributing the militia law, which was read twice, the rule being dispensed with.

Ordered, That the said joint resolution be engrossed for a third reading to-morrow.

The bill from the Senate, entitled an act for dividing this state into Congressional districts, for the election of members to the Congress of the United States, was taken up, read twice, the rule being dispensed with, and committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Kimberly presented the petition of John Knapp and others, praying that Sand Creek may be declared navigable: which was read and referred to the committee of the whole, to whom was referred the bill to amend the act declaring certain streams therein named navigable.

The House proceeded to consider the orders of the day.

The bill for the relief of William H. Ewing, was taken up and ordered to be engrossed for a third reading to-morrow.

The House, according to order, again resolved itself into a committee of the whole, to consider the bill authorising the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent fund, for opening the said roads, Mr. Brown in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brown reported that the committee of the whole had according to order had the said bill under consideration, and had made several amendments to the same, in which amendments he was requested to ask the concurrence of the House.

A message was received from the Senate, by Mr. Bartholomew, announcing that the Senate had passed an engrossed bill from this House, entitled an act for the relief of Robert Gray and Reuben H. Murray.

And he withdrew.

A message was received from the Senate, by Mr. Blake, announcing that the Senate had passed a bill entitled "an act providing for the election of President and Trustees for the Monroe County Library;" also a bill entitled "an act for the relief of John T. Chunn;" in which he was directed to ask the concurrence of this House.

And the House adjourned till two o'clock P. M.

House met pursuant to adjournment.

The engrossed bill from the Senate, entitled an act for the relief of John T. Chunn, was taken up and read the first time, and ordered to be read a second time to-morrow.

The House now proceeded to consider the amendments made in committee of the whole, to the bill from the Senate, for laying off certain roads and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the same—And,

On motion—

The House concurred in said amendments, except the one made to the 23d section of said bill, which reads as follows :

"That a road from Indianapolis, in Centre county, to Terre Haute, in Vigo county, be and the same is hereby established, in length seventy miles; and that four per cent. out of all the moneys appropriated on the roads contemplated in this act, which are authorised to be laid out west of the second principal meridian, or the road from Mock's ferry, in Harrison county, to Indianapolis, be and the same is hereby appropriated to the same, and James Blake of Indianapolis, Stephen Collett of Vigo county, and Joseph Walker of Park county, be and they are hereby appointed commissioners on said road;" and on the question, will the House concur in said amendment? it was decided in the negative, and the yeas and nays being demanded by Messrs. Johnston of Knox, and Beckes, the votes were as follows : yeas 13, nays 23—And,

Those who voted in the affirmative were,

Messrs. Benefield

Bentley,

Brown,

Chamberlin,

Dewey,

Dixson,

Lane,

Merrill,

Mitchell,

Shelby,

Wallace,

Waldo, and

Mr. Speaker

Those who voted in the negative were,

Messrs. Arion,

Beckes,

Brannan,

Canby,

Clark,

Cox,

Crisler,

Johnson, of Pike,

Kimberly,

Kirkpatrick,

Lindsey,

Maxwell,

Miller,

Milroy,

Donaghe,

Green,

Holman,

Johnston of Knox,

Powell,

Thompson,

Tipton,

Wright of R. and

Wright of W.

Mr. Powell then moved further to amend said bill, by adding the following section :

Sec. That a road from Rising Sun, in Dearborn county, to Versailles, in Ripley county, in length twenty six miles, be and the same is hereby established, and one thousand dollars be and the same is hereby appropriated to the opening the same; and that John Barrieklow and James Lewis, of Dearborn county, and John Hunter, of Ripley county, be and they are hereby appointed commissioners on the said road; and on the question, will the House adopt said amendment? it was decided in the affirmative, and the yeas and nays being demanded by Messrs. Powell and Murdock, the votes were as follows : yeas 34, nays 3.

Messrs. Crisler, Murdock and Ray, voted in the negative, and all the rest in the affirmative.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed an engrossed bill establishing the office of Attorney General and providing for the appointment of such officer, to which they desire the concurrence of this House.

And he withdrew.

A message was received from the Senate, by Mr. Gray, announcing that the Senate had passed an engrossed bill, entitled an act providing for the collection of fines in certain cases, in which they request the concurrence of this House,

Mr. Shelby moved to amend the bill for laying off certain state roads and appropriating a portion of the three per cent. fund for opening the same, by adding the following

provision to the 23d section of said bill, "That a road from Indianapolis, in Centre county, to Terre Haute, in Vigo county, be and the same is hereby established, in length seventy miles, and that three per cent out of all the moneys hereby appropriated to the several roads west of the meridian road, be appropriated to the opening and repairing the road aforesaid, from Indianapolis to Terre Haute; and James Blake, of Indianapolis, Stephen Collett, of Vigo county, and Joseph Walker, of Park county, be and they are hereby appointed commissioners on said road."

Mr. Johnston, of Knox, moved to amend said amendment by striking out the word "three" in the fourth line, and the words "west of the meridian road" in the fifth line of said amendment; and a decision of the question being called for, the question was first taken on striking out the word "three," which was decided in the negative; and the question was then taken on striking out the words in the fifth line, as proposed by Mr. Johnston of Knox, which was also decided in the negative; and on that question, the yeas and nays being demanded by Messrs. Johnston of K. and Shelby, the votes were as follows: yeas 9, nays 31.

Those in the affirmative were,

Messrs. Beckes,	Johnston of K.
Benefield,	Johnson of P.
Donaghe,	Kirkpatrick,
Green,	Milroy, and
	Ray,

And those in the negative were,

Messrs. Arion,	Lindsey,
Bentley,	Maxwell,
Braman,	Merrill,
Brown,	Miller,
Canby,	Mitchell,
Chamberlin,	Murdock,
Clark,	Powell,
Cox,	Reed,

Crisler,
Dewey,
Dixon,
Ferris,
Holman,
Kimberly,
Lane,

Thompson,
Tipton,
Shelby,
Waldo,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker.

The question then recurred, on adopting the said amendment as offered by Mr. Shelby, and which carried in the affirmative.

Mr. Beckes then moved that the farther consideration of said bill be indefinitely postponed; and on that question, it was decided in the negative, and the yeas and nays being demanded by Messrs. Johnston of Knox, and Beckes, the votes were as follows: yeas 7, nays 33.

In the affirmative were,

Messrs. Beckes,	Johnson of P.
Chamberlin,	Maxwell,
Johnston, of Knox,	Mitchell, and
	Ray,

And those in the negative were,

Messrs. Arion,	Kirkpatrick,
Benefield,	Lane
Bentley,	Lindsey,
Braman,	Merrill,
Brown,	Miller,
Canby,	Milroy, of L.
Clark,	Murdock,
Cox,	Powell,
Crisler,	Reed,
Dewey,	Shelby,
Dixon,	Thompson,
Donaghe,	Tipton,

Ferris,	Waldo,
Cook,	Wallace
Felton,	Wright of R.
Kimberly,	Wright of W. and
	Mr. Speaker

Mr. Tipton then moved to amend said bill by adding an additional section thereto, in the following words:

"Sec. That a road from New Albany to Lanesville, thence to Corydon, in length twenty miles, be and the same is hereby established a public highway, and that David M. Hale, David Roads and Samuel Flaningham, be and they are hereby appointed commissioners for the same, and the sum of one thousand dollars be and is hereby appropriated for opening the said road."

And on the question of adopting said amendment, it was decided in the negative.

And the yeas and nays being demanded by Messrs. Mitchell and Tipton, the votes were as follows: Yeas 10. Nays 28.

Messr Beckes,	Mitchell,
Chamberlin,	Powell,
Green,	Ray,
Kirkpatrick,	Thompson and
Merrill,	Tipton.

In the negative were,

Messrs. Arion,	Johnston, of K.
Benefield,	Johnson of P.
Bentley,	Kimberly,
Braman,	Lane,
Brown,	Lindsey,
Canby,	Maxwell,
Clark,	Miller,
Cox,	Murdock,
Crisler,	Reed,

Bewey,	Shelby,
Dixon,	Waldo,
Donaghe,	Wallace
Ferris,	Wright of W. and
Holman,	Wright of R.

On motion of Mr. Mitchell —

The said bill was amended by striking out the words "Micks' ferry," and inserting in lieu thereof the word "Northampton."

Mr. Ray then moved further to amend said bill, by adding the following provision:

"That a road from Lawrenceburgh to Brookville, be and the same is hereby established as a public highway, and that of county be and they are hereby appointed commissioners to lay out and locate the same on the nearest and best way, and that the sum of three hundred and sixty two dollars, part of the sum of money appropriated in the nineteenth section of this act, and that the sum of six hundred and thirty eight dollars, part of the sum of money appropriated in the eighteenth section of this act, making the sum of one thousand dollars, be, and the same is hereby appropriated for said road, and the said commissioners are hereby appointed and authorised to superintend the same."

And on the question, Shall the said bill be so amended? It was decided in the negative.

And the yeas and nays being demanded by Messrs. Ray and Murdock, the votes were as follows: Yeas 11. Nays 23.

Those who voted in the affirmative were,

Messrs. Beckes,	Ray,
Chamberlin,	Reed,

Crisler,
Johanson of K.
Miller,
Mitchell,

Shelby,
Thompson and
Tipton

Those who voted in the negative were,

Messrs. Arion.	Johnson of P.
Benefield,	Kimberly,
Bentley,	Lane
Brown,	Lindsey,
Cauby,	Merrill,
Cox,	Mardock,
Dewey,	Powell,
Dixson,	Waldo,
Donaghe,	Wallace,
Ferris,	Wright of R. and
Green,	Wright of W.
Holman,	

And the House adjourned till to-morrow morning nine o'clock.

WEDNESDAY MORNING, Dec. 26, 1821.

House met pursuant to adjournment.

Mr. Kirkpatrick from the select committee to whom was referred, the petition of sundry citizens of Floyd county, praying that a part of said county may be attached to the county of Harrison, reported a bill for that purpose, which was read and ordered to be read a second time to-morrow.

A message was received from the senate by Mr. Harrison, announcing that the senate had passed an engrossed bill entitled an act to repeal part of an act declaring certain

streams navigable, approved January 17th, 1820, in which they ask the concurrence of this house.

And he withdrew.

And the said bill was read twice (the rule being dispensed with) and ordered to be read a third time to-morrow.

Mr. Kimberly from the select committee to whom was referred the communication of his Excellency the Governor, on the subject of appointing a day of fasting, humiliation and prayer, reported that the said committee had had the same under consideration and had directed him to report a joint resolution on that subject, which was read twice, (the rule being dispensed with,) and ordered to be engrossed & read a 3d time to-morrow.

The engrossed bill from the senate, establishing the office of attorney general, and providing for the appointment of such officer was read and ordered to be read a second time tomorrow.

The house proceeded to consider the bill from the senate entitled an act for laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent fund for opening the same, and Mr. Lane moved that the said bill be read a third time to day, and upon that question some discussion arose and the previous question was demanded by three members, and on that question which was, shall the main question now be put? it was carried in the affirmative, and the yeas and nays being demanded by Messrs. Mitchell and Beckes, the votes were as follows.

And those who voted in the affirmative were,

Messrs. Battell,	Kirkpatrick,
Bentley,	Lane,
Bruman,	Lindsey,
Brown,	Millers

Canby,
Cox,
Crisler,
Dewey,
Dixon,
Donaghe,
Holman,
Johnson of R.
Kimberly,

Milroy,
Murdock,
Powell,
Prince,
Reed,
Waldo,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker 27.

Those who voted in the negative were,

Messrs. Arion,
Beckes,
Benefield,
Chamberlin,
Clark,
Ferris,
Green,

Johnson of R.
Maxwell,
Merrill,
Mitchell,
Ray,
Shelby,
Thompson, and
Tipton, 15

The question then recurred shall the said bill be read a third time to day, and which carried in the affirmative.

Mr. Thompson then moved that the said bill be recommitted to a committee of the whole house and made the order of the day for this day which motion was decided in the negative, and the yeas and nays being demanded by Messrs. Shelby and Mitchell, the votes were as follows.

Those who voted in the affirmative were.

Messrs. Arion,
Beckes,
Chamberlin,
Clark,
Johnson, of R.

Merrill,
Mitchell,
Ray,
Shelby,
Thompson, and
Tipton 12

And those who voted in the Negative were,

Messrs. Battell,
Benefield,
Bentley,
Braman,
Brown,
Canby,
Cox,
Crisler,
Dewey,
Dixon,
Donaghe,
Ferris,
Green,
Holman,
Johnson, of Pike,

Kimberly,
Kirkpatrick,
Lane,
Lindsey,
Maxwell,
Miller,
Milroy,
Murdock,
Powell,
Prince,
Reed,
Waldo,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker 31.

The said bill was then read the third time by its title and passed, and on the question of its passage, the yeas and nays being demanded by Messrs. Shelby and Beckes, the votes were as follows: yeas 32, nays 10.

In the affirmative were,

Messrs. Battell
Benefield,
Bentley
Braman
Brown,
Canby
Clark,
Cox
Crisler
Dewey
Dixon
Donaghe,
Ferris
Green

Kimberly
Kirkpatrick
Lane
Lindsey
Maxwell
Miller
Milroy,
Murdock
Powell
Prince
Reed
Waldo,
Wallace
Wright of R.

Holman
Johnston of P.

Wright of W. and
Mr. Speaker

And those who voted in the negative were,

Messrs. Arion

Beckes

Chamberlin

Johnston of K.

Merrill

Mitchell

Ray

Shelby

Thompson and

Tipton 11

Ordered, that the senate be informed thereof and their concurrence requested to the amendment made to said bill by this house.

Messrs Johnston of Knox, Mitchell, Chamberlin and Tipton entered the following protest against the passage of said bill, the undersigned in the name of themselves and their constituents, most solemnly protest against the passage of the above act for the following reasons.

1st, That by the third proposition made by congress to this state and accepted on the formation of our constitution, the three fifths of the five per cent. accruing on the sale of public lands in this state commonly called the three per cent fund should be laid out under the authority of this state upon roads and canals, and by the present act the whole supposed amount is laid out on roads.

2d, The distribution of the contemplated sum is unequal in its bearings and unjust in its effects, because country and not taxation population and future prospects of improvements are its prominent features.

3d. The act opens a door of speculation and in which our citizens generally cannot nor will not participate, but the speculator alone will be especially benefited."

Dec. 26, 1821.

G. W. JOHNSTON,
J. B. RAY.
D. G. MITCHELL,
W. B. CHAMBERLIN,
JOHN TIPTON.

The bill from the Senate, entitled an act for the relief of John F. Chunn was taken up and read a second time; and Mr. Green moved, that the further consideration of said bill be indefinitely postponed, which motion was decided in the negative.

And the yeas and nays being demanded by Messrs. Murdock and Wright of Randolph, the votes were as follows: Yeas 18. Nays 24.

Messrs. Brown,

Clark,

Cox,

Crisler,

Donaghe,

Ferris,

Green,

Johnston of K.

Kimberly,

Kirkpatrick,

Maxwell,

Merrill,

Milroy,

Powell,

Wallace,

Wright of R. and

Wright of W.

And those in the negative were,

Messrs. Arion,

Bettell,

Beckes,

Benefield,

Bentley,

Braman,

Canby,

Chamberlin

Dewey,

Dixon,

Holman,

Johnson of P.

Lane,

Lindsey,

Miller,

Mitchell,

Prince

Ray,

Reed,

Shelby,

Thompson,

Tipton,

Walsh and

Mr. Speaker,

On motion—

The said bill was committed to a committee of the whole House, and made the order of the day for to-morrow.

Mm

The engrossed bill providing for additional trustees of the state Seminary and for other purposes—And,

The joint resolution providing for the printing and distributing the militia law were taken up, and severally read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

And the House adjourned till half past one o'clock P. M.

The House met pursuant to adjournment,

The bill attaching part of Wabash county to the county of Owen and for other purposes, was read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

The House now according to order, resolved itself into a committee of the whole, to consider the bill for issuing audited warrants and for other purposes, Mr. Maxwell in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Maxwell reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Which leave was not given.

On motion by Mr. Lane—

The said bill was referred to a select committee with instructions to prepare and report a bill to this House, providing for an issue of treasury notes to the amount of twenty thousand dollars, including the ten thousand dollars heretofore issued, and prescribing the mode of re-issuing the

same; and Messrs. Lane, Thompson, Ferris, Mauloek and Wright of Washington were appointed said committee.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed the engrossed bill from this House entitled an act for the relief of William H. Ewing without amendment.

And he withdrew.

A message was received from the Senate by Mr. New, announcing that the Senate had passed the bill from this House, for the formation of Henry county out of the county of Delaware—And,

The bill for the formation of Decatur county north of Jennings county—And,

The bill for the formation of a new county west of Franklin and Fayette without amendments, and that they had passed the bill for the formation of a new county north of Bartholomew county, with an amendment, and had also passed the bill for the formation of a new county out of the county of Delaware, with several amendments, in which amendments they ask the concurrence of this House.

And he withdrew.

And the said amendments were taken up and severally read and concurred in by the House.

Ordered, That the Senate be informed thereof.

Mr. Thompson moved that the House now proceed to consider the bill to amend the several acts regulating elections and changing the mode of voting from ballot to viva voce—and on that question the yeas and nays being demanded by Messrs. Thompson and Clark, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Arion,	Johnson, of Pike,
Battell,	Kimberly,
Beckes,	Lane,
Benefield,	Lindsey,
Bentley,	Maxwell,
Braman,	Milroy,
Canby,	Murdock,
Clark,	Prince,
Dixson,	Reed,
Donaghe,	Thompson,
Ferens,	Wallace and
Green,	Wright of W. 21

Those who voted in the negative were,

Messrs. Brown,	Mitchell,
Chamberlin,	Powell,
Cox,	Ray,
Crisler,	Shelby,
Holman,	Tipton,
Johnston of Knox,	Waldo,
Merrill,	Wright of R. and
Miller,	Mr. Speaker. 16

And so it was decided in the affirmative—And,

On motion,

The House now resolved itself into a committee of the whole on said bill, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Johnston of Knox reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again,

Whereupon,

Leave was given.

The committee of the whole to whom was referred, the bill authorising a stay of legal process in certain cases, and the joint resolution for the relief of Elias P. Fordham, were discharged from the further consideration of the same, and the said bill and resolution were indefinitely postponed.

The House now resolved itself into a committee of the whole, to consider the bill, repealing a joint resolution of the state of Indiana, Mr. Reed in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Reed reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some amendments to the same in which they ask the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That said bill be engrossed for a third reading to-morrow.

The House according to order, now resolved itself into a committee of the whole, to consider the bill relative to costs and fee bills in this state, Mr. Miller in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Miller reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, Dec. 27th, 1821.

House met pursuant to adjournment.

Mr. Johnston of Knox having obtained leave, introduced a bill on the subject of Dueling, which was read the first time and ordered to be read a second time to-morrow.

Mr. Murdock from the select committee on that subject, made the following report:—

Mr. Speaker,

The committee to whom was referred the communication of his excellency the Governor, and the memorial of the Mayor &c. of the city of Washington, praying to be authorized to vend lottery tickets within this state for public purposes—Report,

That they have had the said subject under consideration, and are decidedly of opinion that no existing law of this state will express the wishes of the memorialists: Your committee submit for consideration the following resolution: Resolved, That the clerk of this House, transmit to the Mayor of the City of Washington a copy of the above report, and of the Resolution.

G. S. MURDOCK, Ch'n.

On motion,

The House concurred in the said report and resolution.

Mr. Johnston from the joint committee for enrolled bills reported, that the said committee had compared and found true the enrolled bill entitled "An act for the better regulation of the militia of the state of Indiana."

The Speaker having signed the said bill.

Ordered, That the Senate be informed thereof, and the signature of the president requested.

Mr. Lane from the committee to whom was referred the bill authorising the issuing of Auditor's warrants, reported a substitute for said bill; which was read and committed to a committee of the whole House, and made the order of the day for this day.

Mr. Canby presented the petition of John Sheets and others of Madison, praying the location of a state road from Lawrenceburgh by Rising Sun to Madison; which was read and referred to a committee of the whole, to whom was referred the bill for the location of a road from Lawrenceburgh to Madison.

Mr. Prince having obtained leave, introduced a bill for the relief of John H. Thompson, which was read and laid on the table.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate entitled an act creating the office of Attorney General, and providing for the appointment of such officer, was read the second time—And

On motion of Mr. Mitchell—

The said bill was amended by striking out the word "five," and inserting in lieu thereof, the word "three," in that part of said bill which relates to the time the said officer shall hold his office.—And,

On motion,

The said bill was ordered to be read a third time to-morrow.

The engrossed bill from the Senate divorcing Liman Boesman from Sally Melott, was read the second time—And

Mr. Green moved that the further consideration of said bill be indefinitely postponed; which was decided in the negative.—And

On motion,

The said bill was then read the 3d time and passed. and on the question of its passage, the yeas and nays being demanded by Messrs. Green and Shelby, the votes were as follows:—Yeas 22—Nays 17.

And those in the negative were,

Messrs. Battell,
Benefield,
Bentley,
Chamberlin,
Clark,
Dewey,
Dixon,
Donaghe,
Holman,
Johnston, of Knox,
Lane

Lindsey,
Miller,
Mitchell,
Murdock,
Powell,
Prince,
Ray,
Reed,
Thompson,
Tipton, and
Waldo, 22

In the affirmative were,

Messrs. Beckes,
Braman,
Brown,
Canby,
Cox,
Ferris,
Green,
Kimberly,

Kirkpatrick,
Maxwell,
Merrill,
Milroy, of L.
Shelby,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker 17

The bill attaching part of Harrison to the county of Floyd, was read the second time.—And

Mr. Tipton moved that the further consideration of said bill be indefinitely postponed; and on that question the yeas and nays being demanded by Messrs. Tipton and Shelby, the votes were as follows:—Yeas 20—Nays 20.

Those in the affirmative were,

Messrs. Battell,
Beckes,
Bentley,
Brown,
Dewey,
Ferris,
Holman,
Kimberly,
Lindsey,
Merrill,

Miller,
Mitchell,
Murdock,
Powell,
Ray,
Shelby,
Tipton,
Waldo,
Wallace and
Wright of R.

In the affirmative were,

Messrs. Arion,
Benefield,
Bentley,
Canby,
Chamberlin,
Clark,
Cox,
Crisler,
Dixon,
Donaghe,

Green,
Johnston, of K.
Johnson of P.
Kirkpatrick,
Maxwell,
Milroy,
Prince,
Reed,
Thompson and
Wright of W.

There being an equal number of votes in the affirmative and negative, the motion failed.

On motion,

The said bill was committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate entitled an act repealing the part of an act declaring certain streams navigable; was read the third time and passed.

The joint resolution of the General Assembly, recommending a day of fasting and prayer, was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

Mr. Thompson moved that the House now proceed to consider the bill to amend the several acts regulating election and changing the mode of voting from "ballot" to "viva voce;" and on that question the yeas and nays being demanded by Messrs. Maxwell and Thompson.

And those who voted in the affirmative were,

Messrs. Arion,	Kirkpatrick,
Battell,	Lane,
Bentley,	Maxwell,
Brown,	Metrov,
Crisler,	Mitchell,
Dewey,	Prince,
Donaghe,	Thompson
Green,	Tipton
Johnson of P.	Wallace, and
Kimberly,	Wright of W. 20

Those who voted in the negative were,

Messrs. Benefield,	Johnston of K.
Beckes,	Lane
Brown,	Merrill,
Canby,	Miller,
Chamberlin,	Murdock,
Clark,	Powell,
Cox,	Ray,

Dixon,
Ferry,
Holman,

Shelby,
Waldo, and
Wright of R. 20

On motion—

The House adjourned till 3 o'clock P. M.

The House met pursuant to adjournment.

The engrossed bill from the Senate entitled an act providing for the collection of fines in certain cases; was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate entitled an act divorcing Sally M. Mosely from her husband Fielding G. Mosely, was read the third time and rejected.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed the following resolution viz:—

Resolved, That the Senate will do business until ten o'clock at night, in order to an adjournment on Saturday next and that the House of Representatives be informed thereof and a similar resolution requested on their part.

- And he withdrew.

And the said resolution was laid on the table.

The engrossed bill respecting replevins, executions, and sales of property, was taken up and read the third time and passed; and on the question of its passage, the yeas and nays being demanded by Messrs. Mitchell and Wright of W. the votes were as follows:—Yeas 22—Nays 17.

In the affirmative were,

Messrs. Arion	Maxwell
Beckes	Merrill
Bentley	Miller
Brown	Milroy,
Canby	Powell
Chamberlin	Ray
Dewey	Reed
Ferris,	Shelby
Holman	Thompson
Johnston of K.	Waldo, and
Lane	Wallace

And those who voted in the negative were,

Messrs. Battell	Johnston of P.
Beafield,	Kirkpatrick
Braman	Lindsey
Clark,	Mitchell
Cox	Prince
Dixon	Tipton
Doughe,	Wright of R.
Green	Wright of W. and
	Mr. Speaker

Ordered. That the Senate be informed thereof, and their concurrence therein requested.

A message in writing was received from the Governor by H. B. Moore Esq. his private secretary, which was read and is as follows:—

The Hon. the Speaker of the House of Representatives.

SIR,

I have now the pleasure of communicating to you and through you to the House of Representatives, in compliance with their resolution of the inst. a detail of facts respecting that part of the three per cent. fund which

has heretofore been appropriated to the Jeffersonville Ohio Canal Company.

Shortly after the act of the General Assembly was in force, appropriating ten thousand dollars of the three per cent. fund to the use of said canal company, the necessary measures were adopted to procure the amount from the treasury of the United States, and the application for the same was made through our Representative in Congress Mr. Hendricks, with a request that a draft might be obtained for the sum on the bank of the United States at Louisville (Ky.); through the agency of General Hendricks, a draft was forwarded upon the bank of Vincennes, assigning as the reason, that the secretary of the treasury had not disposable funds in the United States branch at Louisville. Shortly after the reception of the said draft John H. Farnham Esq. passing through this place was requested by me to negotiate the draft with the said bank, and to deposit the one half to the credit of the Governor of this state, and to procure the other half in notes on the bank or branches of the United States. Mr. Farnham not having proceeded to Vincennes specially to negotiate the said draft, but chiefly on business of his own, was informed that they would pay only in the notes of the said Vincennes bank or in specie. The payment of \$5,000 was then made to Mr. Farnham in the paper of the said bank, and the remainder being \$5,000 deposited to the credit of the Governor of the state, as per documents numbered one and two.

The sum drawn of \$5,000 was under date of the 5th of May, as appears by document number two, and on the 11th of the same month as appears by document No. three, two thousand dollars of the said \$5,000 was deposited in the Corydon branch bank in notes on the said bank of Vincennes. On the 13th of the same month, (May) it will appear by document number four, that I paid to the agent of the Jeffersonville Ohio Canal Company, three thousand dollars making with the two thousand dollars deposited in the Corydon branch bank on the 11th day of May 1820, the five thousand dollars received by me from the hands of Mr:

Farnham in Vincennes paper, for which I gave him my receipt.

Allow me here to remark, that the five thousand dollars received by Mr. Farnham is the only and entire portion of the said ten thousand dollars aforesaid, that ever passed through my hands directly or otherwise.

In August 1821 being in Jeffersonville, I was applied to by the officers of the Company for money; under the discretion imposed upon me by law, a draft was executed by me upon the Vincennes bank, in favor of O. Raymond Esq. secretary of said company, for two thousand dollars, which was negotiated through Israel Gregg, and a draft obtained by him from the bank of Vincennes on the United States' branch bank at Louisville, and which draft was assigned by said Gregg to Saml. Gwathmey Esq. then treasurer of the Canal Company; who negotiated it as explained by document No. five. When the two thousand dollars was realized by the said company, I obtained a duplicate receipt for the same as per document No. four.

When prosecuting the examination into the banks, being in Vincennes in June last, I discovered from the books of the Vincennes bank, that the bank of Columbia in the District of Columbia, was a debtor to the former twelve hundred dollars; and with the expectation of realizing that sum in good funds for the use of the company of the \$5,000 remaining unpaid to the company; I obtained a draft from the cashier as Governor of the state for the amount. This draft after my return to this place, was forwarded to the bank of Columbia with directions to deposit the amount to my credit as Governor aforesaid. The delay which was experienced in receiving the expected certificate of deposit induced me to address a friend resident in Georgetown in the District of Columbia a letter on the subject, a copy of his reply is herewith submitted, No. six. Shortly after the reception of his letter, I received from the cashier of the bank of Columbia, a letter enclosing a certificate of deposit; specially declaring however, that the sum of \$1,200 was to be paid in the paper of the Vincennes bank. Disappointed in

securing good funds, I returned the letter and certificate of deposit to General Hendricks, who has no doubt received them since his last arrival at the city, and requesting him to call at the said bank and if good funds could not be procured, to obtain the original draft protested, which had been executed on the bank by the cashier of the Vincennes bank, and if this could not be accomplished, to procure the notes of the Vincennes bank and bring them with him on his return home next spring or remit the notes to me by mail in small sums to guard against mis-carriage.

This detailed statement as will appear by a former communication to the General Assembly on the subject; two thousand dollars on the Corydon branch bank; eighteen hundred dollars in the Vincennes bank; and twelve hundred dollars in the bank of Columbia, to be paid in Vincennes paper; leaving two thousand dollars of the appropriation to the Jeffersonville Ohio Canal Company, subject to the order of the Governor of this state.

I recommend to the consideration of this General Assembly, the propriety of providing by law, that the Governor of the state or the authorized agent of the aforesaid company, may take measures to secure the ultimate payment of the said amount by legal process, or by such other measures as may be calculated to prevent a future loss.

Very respectfully,

JONATHAN JENNINGS.

CORYDON, Dec. 27th, 1821.

On motion of Mr. Dewey—

The said communication and accompanying documents after being severally read were referred to a select committee of Messrs. Dewey, Powell, Milroy, Benefield and Mitchell, with leave to consider and report thereon.

A message was received from the Senate by Mr. Bartholomew, announcing that the Senate had passed an engrossed bill entitled an act authorising John Feschli to keep a ferry across the Ohio river below and adjoining the town of J. J. Reynolds, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had passed a resolution, that it is inexpedient to change the mode of voting from ballot to "viva voce."

And he withdrew.

A message was received from the Senate by Mr. Morrison their secretary, announcing that the Senate had concurred generally in the amendments made by this House to the bill from the Senate entitled an act for laying off certain state roads in this state, and appropriating \$100,000 of the fund commonly called the three per cent. fund for opening the said roads, except the one made in the 10th section of said bill by striking out the words "Mock's ferry," and inserting in lieu thereof the word "Northampton," and the one made in the 15th section thereof, by which the contemplated road from Bethlehem to Brownstown is changed, to which amendment they have agreed, with an amendment, and the amendment made to the twenty third section of said bill to which amendment they have also agreed with an amendment by striking out the names of Stephen Collett and Joseph Walker, and inserting in lieu thereof John M. Colman and John Hamilton; the Senate have also passed the bill from this House entitled an act providing additional trustees of the state Seminary without amendment.

And he withdrew.

And the House proceeded to consider the amendments to the former bill.

On motion—

The House receded from their amendment to the 10th section of said bill.

On motion—

The House concurred in the amendment of the Senate to the amendment of this House to 15th section of said bill.

On motion—

The House concurred in the amendment made by the Senate to the amendment of this House to the 23d section of said bill; and on that question the yeas and nays being demanded by Messrs. Shelby and Lindsey, the votes were as follows:

Those who voted in the affirmative were

Messrs. Beckers,	Kimberly,
Bencfield,	Kirkpatrick,
Bentley,	Maxwell,
Brown,	Milroy,
Casby,	Mitchell,
Clark,	Murdock,
Cox,	Powell,
Crisler,	Reed,
Donaghe,	Waldo,
Dixon,	Wallace,
Green,	Wright of R.
Holman,	Wright of W. and
Johnson, of Pike,	Mr. Speaker 27.

And those who voted in the Negative were,

Messrs. Battell,	Lindsey,
Braman,	Miller,
Chamberlin,	Prince,

Ferris,
Johnston, of K.
Lane,

Shelby
Thompson, and
Tipton 12

Ordered, That the Senate be informed thereof.

And the House adjourned until to-morrow morning nine o'clock.

FRIDAY MORNING, Dec. 28, 1821.

The House met pursuant to adjournment.

Mr. Johnston of Knox, submitted the following resolution which was read and adopted :

Resolved, By the House of Representatives, the Senate concurring therein, that the Secretary of state be requested to furnish the public printer with the acts of the present General Assembly, immediately after they are approved, as the business of the present session progresses: And that the Senate be informed thereof, and their concurrence requested.

Mr. Kimberly submitted the following preamble and resolution :

Whereas it is provided by the Constitution of this state, Article 6, Sec. 2, that the General Assembly may if they deem it more expedient at their session in the year 1821, change the mode of voting so as to vote viva voce, after which time it shall remain unalterable; and whereas the General Assembly, acting upon the clear correct and immutable principles of republicanism, did by their joint resolution of the 23d December, 1820, authorise and request the qualified electors, at their August election to express on their tickets whether they were in favor of voting by ballot or by viva voce, thereby intimating in terms not to be misconceived, that the Representatives then and there to be chosen,

should be governed by the vote of their constituents. And whereas the House of Representatives, from the circumstance of their having been elected at a period when that point was particularly submitted to the people, ought to be considered the organ of the popular will, in preference to the Senate; a majority of whom held their seats without reference to that subject :

Resolved therefore, That the resolution reported from the Senate yesterday on the subject of voting, inasmuch as it can be viewed in no other light than a direct attempt to forestall the decision of the house be and the same is hereby declared to be unparliamentary, and that it be returned to the Senate with a copy of this resolution.

Which preamble and resolution was read—And,

On motion of Mr. Mitchell—

The further consideration of the same was indefinitely postponed; and on the question of postponement, the yeas and nays being demanded by Messrs. Murdock and Kimberly, the votes were as follows :—Yeas 25—Nays 16.

In the affirmative were,

Messrs. Beckes
Benefield,
Bentley
Brown
Chamberlin
Cox
Crisler,
Dewey
Dixon
Donaghe,
Ferris,
Holman

Johnston of K.
Lane
Lindsey
Merrill
Mitchell
Murdock
Powell,
Ray
Reed
Shelby
Waldo, and
Wright of R.

And those who voted in the negative were,

Messrs. Brainan	Maxwell
Braman	Mitroy,
Canby	Prince
Clark,	Thompson
Green	Tipton
Johnston of P.	Wallace
Kimberly,	Wright of W. and
Kirkpatrick	Mr. Speaker

A message was received from the Senate by Mr. Graham announcing that the Senate had passed the following resolution, in which they ask the concurrence :

Resolved, By the Senate, the House of Representatives concurring therein, that the Secretary of state be requested to furnish the public printer with certified copies of the several acts of the present General Assembly, immediately after they are approved ; and that the House of Representatives be informed thereof, and their concurrence requested.

And he withdrew.

And a motion was then made to concur in said resolution, which was decided in the negative.

Ordered, That the Senate be informed thereof.

Mr. Dewey from the select committee on that subject, made the following report :

Mr. Speaker,

Your committee to whom was referred the communication of his Excellency the Governor, of the 27th inst. and the accompanying documents have had the same under consideration, and beg leave to report, that the facts detailed in the communication and supported by the accompanying documents, are such as in the opinion of your committee as entirely to preclude suspicion of mismanagement of any part

of the three per cent. fund, which has heretofore been appropriated to the use of the Jeffersonville Ohio Canal Company, and such as to convince your committee that the agency of his Excellency in that transaction, has been discharged with a due regard to his own character, as well as to the public interest.

Your committee are also of opinion, that no act of legislation for the purpose of enforcing the payment of the money deposited in the bank, is at present inexpedient, but that the law now in force, furnish the only remedy for that purpose which the nature of the case allows, all which is respectfully submitted.

CHAS. DEWEY, CH'n.

On motion—

The House concurred in said report.

Mr. Ferris from the Committee of ways and means, reported a bill providing for the payment of postage on letters addressed to the officers of government ; which was read twice, the rule being dispensed with, and committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Ferris also made the following report :

Mr. Speaker,

The committee of ways and means have performed the duty devolving on them, of examining the books of the Auditor and Treasurer of state, and have directed me to report, that they found them in good order. They have instructed me to report further—that there is in the Treasury \$1,200 00 of notes on the Corydon branch bank, \$148 00 of which were issued at the mother bank, leaving a balance of \$752 00 issued by the said branch bank, for the disposition of which they have directed me to report the accompanying bill. Herewith is also presented a copy of the amount

current of the past year, including receipts and expenditures to be published with the acts of the present General Assembly, all of which are respectfully submitted.

EZRA FERRIS, Ch'n.

Which report was read and concurred in by the House.

On motion of Mr. Milroy—

Resolved, That a select committee be appointed to enquire into a report which is now in circulation, charging the agent of Indianapolis, with having made exchanges of silver, which was paid in for lots in said place for treasury notes, which exchange, if made, was unauthorised by law, and that the committee have leave to report by bill or otherwise—And,

Thereupon,

Messrs. Milroy, Thompson, Arion, Brown and Holman, were appointed said committee.

Mr. Johnston of Knox, moved that the House now proceed to consider the bill for the sale of the Seminary township in Gibson county.

And the yeas and nays being demanded by Messrs. Arion and Thompson, the votes were as follows: Yeas 18. Nays 22.

In the affirmative were,

Messrs. Battell,	Lane
Beekes,	Merrill,
Benfield,	Miller,
Brown,	Murdock,
Chamberlin,	Powell,
Cox,	Prince,
Dixon,	Reed,
Ferris,	Shelby,
Johnston, of Knox,	Waldo,

And those in the negative were,

Messrs. Arion,	Kimberly,
Bentley,	Kirkpatrick,
Braman,	Lindsey,
Canby,	Maxwell,
Clark,	Milroy, of L.
Crisler,	Thompson,
Dewey,	Tipton,
Donaghe,	Wallace,
Green,	Wright of R.
Holman,	Wright of W. and
Johnson of P.	Mr. Speaker

Mr. Thompson moved, that the House now proceed to consider the bill to amend the several acts, regulating elections, and changing the mode of voting from ballot to viva voce; but before the question was taken thereon, Mr. Reed moved that the House now adjourn till one o'clock, P. M.

And on that question, the yeas and nays were demanded by Messrs. Reed and Murdock—and the votes were as follows: Yeas 8. Nays 33.

In the affirmative.

Messrs. Beekes,	Merrill,
Benfield,	Powell,
Brown,	Reed, and
Chamberlin	Waldo.

And those in the negative were,

Messrs. Arion,	Kirkpatrick,
Battell,	Lane,
Bentley,	Lindsey,
Braman,	Maxwell,
Canby,	Miller,
Clark,	Murdock,
Cox,	Milroy,
Crisler,	Prince
Dewey,	Rav,
Dixon,	Shelby,
Donaghe,	Thompson,
Ferris,	Tipton.

Green,
Holman,
Johnston of K.
Johnson of P.
Kimberly,

Wallace,
Wright of W.
Wright of R. and
Mr. Speaker,

And so it was decided in the negative.

On motion,

The House now resolved itself into a committee of the whole, to consider the bill, to amend the several acts regulating elections, and changing the mode of voting from ballot to viva voce, Mr. Holman in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Holman reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to report progress and ask leave to sit again—and on the question, Shall leave be granted? It was decided in the negative.

And the yeas and nays being demanded by Messrs. Ferris and Thompson, the votes were as follows: Yeas 18. Nays 23.

Those who voted in the affirmative were,

Messrs. Benefield,
Brown,
Chamberlin,
Cox,
Dixson,
Ferris,
Holman,
Lane,
Merrill,

Miller,
Murdock,
Powell,
Ray,
Reed,
Shelby,
Waldo and
Wright of R.

Those who voted in the negative were,

Messrs. Arion,
Battell,
Beckes,

Kirkpatrick,
Lindsey,
Maxwell,

Bentley,
Braman,
Candy,
Crisler,
Dewey,
Donaghe,
Green,
Johnson of R.
Kimberly,

Milroy,
Mitchell,
Prince,
Thompson,
Tipton,
Wallace,
Wright of W. and
Mr. Speaker.

On motion—

The committee of the whole were discharged from the further consideration of said bill, Mr. Lane then moved, that the further consideration of said bill be indefinitely postponed—which motion was decided in the negative.

And the yeas and nays being demanded by Messrs. Lane and Murdock, the votes were as follows: Yeas 18. Nays 23.

Those who voted in the affirmative were,

Messrs. Brown,
Beckes,
Benefield,
Chamberlin,
Cox,
Dixson,
Ferris,
Holman,
Johnston of Knox,
Lane,

Merrill,
Miller,
Murdock,
Powell,
Ray,
Reed,
Shelby,
Wright of R. and
Waldo.

Those who voted in the negative were,

Messrs. Arion,
Battell,
Bentley,

Kirkpatrick,
Lindsey,
Maxwell,

Braman,	Milroy,
Canby,	Mitchell,
Clark,	Prince,
Crisler,	Tompson,
Dewey,	Tipton,
Donaghe,	Wright of W.
Green,	Wallace and
Johnson, of Pike,	Mr. Speaker.
Kimberly,	

On motion,

The said bill was ordered to be engrossed and read a third time to-morrow.

The House adjourned till 2 o'clock P. M.

The House met pursuant to adjournment.

The engrossed bill repealing part of a joint resolution of the General Assembly of the State of Indiana, approved January 22d, 1820, was read the third time and passed.

Ordered. That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill from the Senate, entitled an act creating the office of attorney general, and providing for the appointment of such officer; was taken up and read the third time, and on the question of its passage it was decided in the negative, and the yeas and nays being demanded by Messrs. Thompson and Shelby.

Those in the affirmative were,

Messr. Battell,	Lane,
Backes,	Merrill,
Benefield,	Miller,
Bentley,	Mitchell,

Braman,	Murdock,
Brown,	Prince,
Dewey,	Ray,
Donaghe,	Reed, and
Johnston, of K.	Tipton, 18

In the affirmative were,

Messrs. Canby,	Kirkpatrick,
Clark,	Maxwell,
Cox,	Murphy,
Crisler,	Powell,
Dixon,	Shelby,
Feris,	Tompson,
Green,	Waldo,
Holman,	Wallace
Johnson of P.	Wright of R.
Kimberly,	Wright of W. and
	Mr. Speaker 21

The bill authorising John Fischli to keep a ferry across the Ohio river below and adjoining the town of Jeffersonville, was read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to repeal the acts to prevent duelling, was read the second time—And,

On motion of Mr. Murdock—

Indefinitely postponed; and on that question the yeas & nays being demanded by Messrs. Johnston of Knox and Murdock, the votes were as follows:—Yeas 29—Nays 12.

And those who voted in the affirmative were,

Messrs. Backes,	Kimberly,
Benefield,	Kirkpatrick,
Bentley,	Lane

Braman,	Lindsey,
Brown,	Maxwell,
Canby,	Merrill,
Chamberlin,	Mitroy,
Clark,	Mitchell,
Cox,	Murdoch,
Crisler,	Powell,
Dewey,	Reed,
Dixson,	Waide,
Holman,	Wallace,
Johnson of P.	Wright of R. and Wright of W.

Those who voted in the negative were,

Messrs. Arion,	Prince,
Battell,	Reed,
Ferris,	Shelby,
Green,	Thompson
Johnston of K.	Tipton and
Miller,	Mr. Speaker.

A message was received from the Senate by Mr. Baird announcing that the Senate had passed an engrossed bill entitled an act regulating the postage and payment of letters addressed to the office of the Secretary of state, in which they ask the concurrence of this House.

And he withdrew.

And the said bill was taken up and read twice, the rules being dispensed with, and committed to a committee of the whole House, and made the order of the day for to-morrow.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed an engrossed bill entitled an act more fully defining the duties of the Secretary of state, in which they ask the concurrence of this House.

And he withdrew.

And the said bill was taken up and read, and ordered to be read a second time to-morrow.

The House now according to order resolved itself into a committee of the whole, to consider the bill authorising the issuing and reissuing of Treasury notes, Mr. Merrill in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Merrill reported, that the committee of the whole, had according to order had the said bill under consideration, and had made some amendments to the same; in which they desire the concurrence of the House.

On motion--

The House concurred in the said amendments generally.

On motion--

The said bill was then read the third time and passed, and on the question of its passage the yeas and nays being demanded by Messrs. Shelby and Beckes, the votes were as follows:

Those who voted in the affirmative were

Messrs. Bentley,	Lane,
Braman,	Lindsey,
Brown,	Miller,
Chamberlin,	Murdoch,
Clark,	Powell,
Crisler,	Reed,
Ferris,	Thompson,
Green,	Tipton
Johnson, of Pike,	Wright of W. and
Kimberly,	Mr. Speaker 20.

And those who voted in the Negative were,

Messrs. Arion,	Johnston, of K.
Battell,	Merrill,

Beckes,	Milroy,
Canby,	Powell,
Cox,	Shelby
Hewey,	Wash,
Dixon,	Wallace, and
Holman,	Wright of R. 15

A message from the Senate, by Mr. Graham, announcing that the Senate had passed the joint resolution from the House, recommending a day of Fasting and Prayer, without amendment.

The House, according to order, now resolved itself into a committee of the whole, to consider the bill regulating costs and fee bills in this state, and the bill amending and confirming the act regulating fees—Mr. Prince in the chair—and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prince reported that the committee of the whole had according to order had the said bills under consideration, and had directed him to report the former without amendment, and had made several amendments to the latter, in which they desire the concurrence of the House.

On motion,

The former bill was read a third time and passed, and the amendments made to the latter bill were read severally and concurred in, and on the question of concurring in the last amendment, which was made by adding the last section, to said bill which reads as follows:

Sec. 1. That the prosecuting attorney of each county shall receive an annual salary of not exceeding sixty dollars, to be paid out of the county treasury, on his producing an order from the Circuit Court."

The yeas and nays being demanded by Messrs. Shelby and Murdoch, the votes were as follows:

In the affirmative were,

Messrs. Beckes	Kimberly,
Bonfield,	Kingspawick
Brown	Lindsey
Chamberlie	Murray,
Clark,	Mitchell
Cox	Murdoch
Crisler,	Shelby
Dixon	Tipton,
Green	Waldo,
Holman	Wright of R.
Johnston of P.	Wright of W. and
	Mr. Speaker 23

And those who voted in the negative were,

Messrs. Arion	Maxwell
Battell	Merrill
Bentley	Miller
Braman	Powell,
Canby	Prince
Ferris,	Ray
Johnston of K.	Thompson and
	Waldo, 15

The House adjourned until 9 o'clock to-morrow morning.

SATURDAY MORNING, Dec. 29, 1821.

House met pursuant to adjournment.

Mr. Johnston of Knox, from the joint committee for enrolled bills, reported that the said committee did on the 28th inst. present to his Excellency the Governor, for his appro-

tion and signature, the enrolled bill entitled "an act for the better regulation of the militia of the state of Indiana."

Mr. Lane, from the joint committee for enrolled bills, reported that the said committee had examined the following enrolled bills, entitled acts, and had found the same truly enrolled, viz:

1. "An act for the formation of a new county out of the counties of Delaware and Wabash."
2. "An act to amend the several acts for opening and repairing public roads and highways."
3. "An act providing for the election of president and trustees of the Monroe County Library."
4. "An act for the formation of Henry county out of the county of Delaware."
5. "An act for the relief of Robert Gray and Reuben H. Murray."
6. "An act attaching part of Switzerland county to the county of Ripley."
7. "An act attaching part of Posey county to the county of Gibson."
8. "An act for the formation of a new county out of the counties of Vigo and Owen, and north of Owen."
9. "An act for the formation of a new county west of Franklin and Fayette."
10. "An act authorising John M'Donald and William M'Cartney to erect mills on Fall Creek, at the falls there of."

Whereupon,
The Speaker signed the same.

Ordered, That they be carried to the Senate, for the signature of their President.

Mr. Johnston of Knox, from the joint committee for enrolled bills, reported that the said committee had examined the following enrolled bills, and had found the same truly enrolled, viz:

An act requiring certain public officers to give further security when the original shall remove, become insolvent or insufficient.

An act to dissolve the banns of matrimony between Liman Beeman and Sally Melott.

An act attaching part of Wabash county to the county of Owen, and for other purposes.

An act providing for the collection of fines in certain cases; and,

An act repealing part of an act declaring certain streams navigable.

Whereupon,
The Speaker signed the same.

Ordered, That the same be carried to the Senate, for the signature of the President.

Mr. Battell, from the select committee to whom was referred the communication and documents from the Governor of Maryland, on the subject of appropriating certain public lands for the purposes of education, made the following report:

Mr. Speaker,
The committee to whom were referred the "Report and sundry resolutions relative to the appropriations of public

Qc

land for the purposes of education, to the Senate of Maryland," beg leave to report, that they have examined the same with that attention which both the respectable source from which they emanated, as well as their importance to this state and to the union, seemed to demand. The result of their deliberations has been a most clear conviction, that the claim advanced in said report, "that the states in whose favor Congress have not made appropriations of land, for the purposes of education, are entitled to such appropriations as will correspond in a just proportion with those heretofore made in favor of other states," is unfounded. So far as your committee can understand the reasoning upon which the state of Maryland advances its claim, it appears to be this: That inasmuch as the public lands are the common property of the union, all the states, as well those without the limits of the territory in which these lands are situated, as those within, are entitled to an equal share of any grants which may be made of them, for state purposes.

Without enquiring whether this position be correct, your committee cannot conceive it has any application to the appropriations heretofore made to the several states, for the purposes of education. These grants cannot be considered in the nature of free gifts, for which no equivalent is paid: so far from it, they seem to have been in the nature of a purchase, for which perhaps a price too dear has been given.

By a reference to the acts of Congress relative to the sale of public lands, it appears to have been an invariable feature in them, that No. 16 in each township, should be reserved for school purposes. The ordinance of Congress of 1785, had this provision. This provision, no doubt, was designed as an inducement to citizens to settle these lands. As the object of it was to encourage emigration, and thereby enhance the value of these public domains, it may be considered as an appropriation for national rather than state purposes.

Your committee do not deem it necessary to refer to, the great sacrifices which settlers of this country have made.— They abandoned the conveniences, luxuries and pleasures of their native homes, and endured the privations and sufferings always connected with such enterprises. In addition to these, many of them lost their lives in defending this territory against the attacks of a savage foe; the consequence of which has been, that this land, then a wilderness, and but of little value, now constitutes no small portion of the national wealth; although it would appear to your committee, that these last considerations alone, would be sufficient to convince those not envious of our prosperity, that for what has been given a sufficient compensation has been made. They have no need of making suggestions of this kind, because, by an examination of the laws of Congress for the admission of the states as members of the union, to whom these reservations were made, it will conclusively appear, that in consideration of them the several states gave up privileges fully equal to their value. It is believed that the terms upon which this state was admitted, does not materially differ from those upon which others, included within the territories of the United States, were admitted, as to the amount of land ceded, and the equivalent paid for the same. It will be sufficient, therefore, to refer to the "act to enable the people of the Indiana Territory to form a Constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states; approved April 19, 1816." By this it is seen that five propositions were submitted to the Convention of this state, in which were included the several reservations of land. The section containing these propositions, concludes in the following words:

"And provided always, that the five foregoing propositions herein offered, are on the conditions, that the Convention of the said state shall provide, by an ordinance irrevocable without the consent of the U. States, that every and each tract of land sold by the United States after the first day of December next, shall be and remain exempt from any tax laid by order or under any authority of the State, whether for state, county, township or any other purpose whatever, for the term of five years from and after the day of sale."

These propositions were accepted by said Convention, and the ordinance required passed. After having quoted the above from the said act of Congress, and referred to the ordinance of the Convention of this state, your committee do not deem it necessary to add any more arguments in support of their position. If the lands ceded were not fairly purchased by the agreement to give up the right of taxation on the lands sold by the United States, words have no meaning.

Your committee beg leave to recommend the following resolutions :

Resolved, by the General Assembly of the state of Indiana, that the appropriations of lands for the purposes of education, which Congress has made to the several states, were by said states obtained by purchase, for which an equivalent has been paid.

Resolved, That the states in whose favor Congress have not made appropriations for the purposes of education, are not entitled to them in consequence of appropriations having been made to other states for those purposes.

Resolved, That a copy hereof be signed by the President of the Senate and the Speaker of the House of Representatives, and delivered to his Excellency the Governor, to be by him forwarded to his Excellency the Governor of the state of Maryland, and that the Senate be informed thereof and their concurrence requested.

CHARLES I. BATTELL, Ch'n. Com.

On motion,

The House concurred in the above report and resolutions.

Mr. Reed submitted the following resolution which was read and rejected.

Resolved, That the judiciary committee be instructed to enquire into the expediency of changing the mode of replevying of executions, under the jurisdiction of Justices of the Peace, so as to make the replevy of said executions in proportion to the judgments which may be rendered, with leave to report by bill or otherwise.

Messrs. Ferris, Maxwell and Miller obtained leave of absence from this evening till the end of the present session.

The House proceeded to consider the orders of the day.

On motion of Mr. Thompson—

The engrossed bill to amend the act regulating elections and changing the mode of voting from ballot to *viva voce*, was taken up and read the third time and passed—and on the question, shall this bill pass, the yeas and nays being demanded by Messrs. Thompson and Wright, of Washington, the votes were as follows: Yeas 23, Nays 19.

In the affirmative were,

Messrs. Arion,
Battell,
Bentley,
Braman,
Canby,
Clark,
Crisler,
Dewey,
Donaghe,
Green,
Johnson of P.
Kimberly,

Kirkpatrick,
Lindsey,
Maxwell,
Milroy, of L.
Mitchell,
Prince,
Thompson,
Tipton.
Wallace,
Wright of W. and
Mr. Speaker,

And those in the negative were,

Messrs. Beekes,
Benefield,
Brown,

Merrill,
Miller,
Murdock,

Chamberlin,
Cox,
Dixon,
Ferris,
Holman,
Johnston, of Knox,
Lane

Powell,
Ray,
Reed,
Shelby,
Waldo, and
Wright of R.

Ordered, That the said bill be entitled an act to amend the several acts regulating elections and changing the mode of voting from ballot to viva voce, and that the Senate be informed thereof and their concurrence therein requested.

Mr. Ferris handed in the following protest against the passage of the above bill.

"The subscribers protest against the passage of an act purporting to change the method of voting from ballot to viva voce:

"1st. Because, from the best information obtained, a majority of the qualified electors in the State, who expressed their opinion upon that subject at the last election, decided in favor of ballot, and the report of the chairman of the committee of elections made to this House was partial, containing only 15 counties when there was 39 in the state.

"2d. Because such change is calculated to restrain the freedom of elections by subjecting debtors and tenants to the influence of those to whom they are dependant.

"Because it leads to personal controversies amongst neighbors, and, in the end, is calculated to deter the peaceable citizen from attending the polls.

"4. Because this House has decided, at the present session, that militia elections shall be by ballot, thereby making an unusual, if not an unconstitutional, distinction.

"5th. Because the constitution provides that the election shall be held on the first Monday of August, and it is believed the votes in many large counties could not all be received in one day.

"6th. Because the bill makes no provision for receiving votes in any other way than by ballot, and is, of itself, entirely deficient, and would have no other effect than to distract the public mind with a pretended change, when, in reality, no change would be effected by it, inasmuch as its friends, composing a majority of four of the whole House, refused to have it amended or committed for amendment so as to provide for the change contemplated in the constitution."

(Signed)

EZRA FERRIS,
G. L. MURDOCK,
B. V. BECKES,
G. W. JOHNSTON,
JOHN MILLER,
ERASMUS POWELL,
JOHN BENEFIELD,

AMOS LANE,
J. G. REED,
WM B. CHAMBERLIN,
SAMUEL MERRILL,
L. A. WALDO,
JOSEPH SHELBY,
J. BROWN RAY,
THOMAS BROWN.

A message was received from the Senate by Mr. Daniel announcing that the Senate had passed a joint resolution respecting the three per cent. act, in which they ask the concurrence of this House.

And he withdrew.

And the said resolution was read three times (the rule being dispensed with) and passed.

Ordered, That the Senate be informed thereof.

Mr. Mitchell moved that the House now proceed to consider the bill authorising the writ of quo warranto, to be

assued against the bank of Vincennes, which motion was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Mitchell and Shelby, the votes were as follows:

And those who voted in the affirmative were,

Messrs. Arion,	Holman,
Battell,	Johnson of P.
Beckes,	Kirkpatrick,
Benefield,	Maxwell,
Bentley,	Miller,
Braman,	Milroy,
Brown,	Mitchell,
Canby,	Murdock,
Clark,	Prince,
Cox,	Ray,
Crisler,	Shelby,
Dewey,	Wallace
Dixon,	Wright of W. and
Donaghe,	Mr. Speaker.
Green,	

Those who voted in the negative were,

Messrs. Ferris,	Powell,
Johnston of K.	Thompson and
Kimberly,	Wright of R.
Merrill,	

The House now resolved itself into a committee of the whole on said bill, Mr. Murdock in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Murdock reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Mr. Johnston of Knox, then moved to amend the said bill, by striking out the preamble thereof, which motion was negatived; and on that question, the yeas and nays being demanded by Messrs. Johnson of Knox and Beckes, the votes were as follows:

Those who voted in the affirmative were

Messrs. Battell,	Johnston of K.
Beckes,	Johnson, of Pike,
Benefield,	Lindsey,
Bentley,	Merrill,
Canby,	Prince and
Dewey,	Wright of R.
Ferris,	

And those who voted in the Negative were,

Messrs. Arion,	Maxwell,
Brown,	Miller,
Chamberlin,	Milroy,
Clark,	Mitchell,
Cox,	Murdock,
Crisler,	Ray,
Dixon,	Reed,
Donaghe,	Shelby
Green,	Thompson,
Holman,	Tipton
Kimberly,	Waldo,
Kirkpatrick,	Wright of W. and
Lane	Mr. Speaker.

The said bill was then read the third time and passed—and on the question of its passage, the yeas and nays being demanded by Messrs. Shelby and Ray, the votes were as follows: Yeas 36 Nays 3.

Ra

Messrs. Ferris, Lane and Thompson voted in the negative, and all the rest in the affirmative.

Ordered. That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate by Mr. Clark, announcing that the Senate had adopted a report and resolutions on the subject of the proceedings of the United States, a circuit court against the officers of state of the state of Ohio, in which they request the concurrence of the House of Representatives.

And he withdrew.

And the said report and resolutions were read and concurred in by this House.

Ordered. That the Senate be informed thereof.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had passed an engrossed bill entitled an act authorising the qualified voters of the different counties at their next August election, to vote for or against a convention for the revision of the constitution of this state, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time—And,

Mr. Tipton moved that the said bill be rejected—which motion carried.

And the yeas and nays being demanded by Messrs. Tipton and Mitchell, the votes were as follows: Yeas 23. Nays 13.

Those in the affirmative were,

Messrs. Arion,
Benefield,
Braman,
Brown,
Canby,
Chamberlin,
Clark,
Dixon,
Donaghe,
Green,
Holman,
Johnson of P.

Kirkpatrick,
Miller,
Mitchell,
Shelby,
Thompson
Tipton,
Waldo,
Wallace
Wright of R.
Wright of W. and
Mr. Speaker.

In the affirmative were,

Messrs. Beckes,
Cox,
Crisler,
Ferris,
Johnston, of K.
Kimberly,
Lindsey,

Merrill,
Milroy,
Paxell,
Pence,
Reed, and
Ray.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed an engrossed bill entitled an act to amend an act subjecting real and personal estates to execution, to which they desire the concurrence of this House.

And he withdrew.

And the said bill was read and ordered to be read a second time on Monday next.

A message was received from the Senate by Mr. Graham, announcing that the Senate had passed the bill from this House entitled an act repealing a joint resolution of the General Assembly of the state of Indiana, approved January.

ry 22d, 1820, with an amendment, to which amendment they desire the concurrence of this House.

And he withdrew.

And the said amendment was read and concurred in by this House.

Ordered, That the Senate be informed thereof.
The engrossed bill from the

The engrossed bill from the Senate, more fully defining the duties of the secretary of state, was read the third time and rejected.

On motion of Mr. Merrill —

The committee of the whole, to whom was referred, the bill to amend the act, regulating the granting of letters testamentary and letters of administration, were discharged from the further consideration thereof, and the said bill was then read the third time and passed—and on the question of its passage the yeas and nays being demanded by Messrs. Johnston of K. and Thompson the votes were as follows : Yeas 27. Nays 10.

Those who voted in the affirmative were,

Messrs. Arion,
Battell,
Beckes,
Branson,
Brown,
Canby,
Chamberlin,
Crisler,
Dixon,
Ferris,
Green,
Holman,
Kirkpatrick,
Lane,
Merrill,
Miller,
Mitchell,
Murdock,
Powell,
Reed,
Shelby,
Waldo,
Wright of R. and
Mr. Speaker.

Those who voted in the negative were,

Messrs. Clark, Milroy,

Cox,
Donaghe,
Johnston of Knox,
Johnson, of Pike,
Kimberly,

Ray,
Thompson,
Tipton and
Wainae.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed the engrossed bill from this House entitled an act authorising the issuing and re-issuing of treasury notes, with two amendments, in which amendments they ask the concurrence of this House.

And he withdrew.

And the said amendments were taken up and read and concurred in by this House.

Ordered, That the Senate be informed thereof.

And the House adjourned till two o'clock P. M.

House met pursuant to adjournment.

The House now, according to order, resolved itself into a committee of the whole, to consider the bill providing for judicial circuits, fixing the time of holding courts therein, Mr. Kimberly in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Kimberly reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House, which amendments were read severally and concurred in by the House; and on the question of concurring in the amendment made in committee of the whole, by which the circuit composed of the counties of Bartholomew, Lawrence, Monroe, Green, Owen and the counties formed in the New Purchase is designated as the second judicial circuit.

The yeas and nays being demanded by Messrs. Murdock and Shelby, the votes were as follows: Yeas 22, Nays 17

Those who voted in the affirmative were,

Messrs. Arion,	Merrill,
Braman,	Miller,
Canby,	Milroy,
Clark,	Mitchell,
Cox,	Reed,
Dewey,	Shelby,
Green,	Thompson,
Johnston, of K.	Tipton,
Johnson of R.	Wallace,
Kimberly,	Wright of W. and
Kirkpatrick,	Mr. speaker.

Those who voted in the negative were,

Messrs. Benefield,	Holman,
Beckes,	Lane,
Bentley,	Murdock,
Brown,	Powell,
Chamberlin,	Prince,
Crisler,	Ray,
Dixson,	Waldo and
Donaghe,	Wright of R.
Ferris,	

Mr. Tipton then moved further to amend said bill, by striking out the 7th section thereof, and inserting in lieu thereof the following section :

Sec. . . . The circuit courts in the fifth judicial circuit, shall hold their sessions on the several days and times following, to wit: In the county of Harrison—on the second Mondays of February, May and September, and may sit twelve days at a term, if the business require it. In the county of Crawford—on the fourth Mondays of February, May and September, and may sit six days, if the business require it. In the county of Washington, on the first Mondays of March, June and October, and may sit six days, if the business require it. In the county of Jackson, on the second Mondays of March, June and October, and may sit

six days, if the business require it. In the county of Scott, on the third Mondays of March, June and October, and may sit six days, if the business require it. In the county of Jefferson, on the fourth Mondays of March, June and October, and may sit twelve days if the business require it. In the county of Clark, on the second Mondays of April, July and November, and may sit twelve days if the business require it. In the county of Floyd, on the fourth Mondays of April, July and November, and may sit six days if the business require it.

And on the question, Shall the bill be so amended? It was decided in the negative.

And the yeas and nays being demanded by Messrs. Tipton and Shelby, the votes were as follows: Yeas 10. Nays 24.

In the affirmative.

Messrs. Chamberlin	Mitchell,
Ferris,	Powell,
Green,	Shelby,
Miller,	Tipton, and
Milroy,	Mr. Speaker,

And those in the negative were,

Messrs. Arion,	Holman,
Beckes,	Johnston of K.
Benefield,	Johnson of R.
Bentley,	Merrill,
Braman,	Murdock,
Brown,	Prince,
Canby,	Reed,
Clark,	Thompson,
Cox,	Waldo,
Crisler,	Wallace,
Dewey,	Wright of R. and
Dixson,	Wright of W.
Donaghe,	

Mr. Tipton then moved to strike out the word 'six,' and insert 'nine' in lieu thereof, in that part of it which limits the time of holding the circuit courts in Harrison county, and on that question it was decided in the negative.

And the yeas and nays being demanded by Messrs. Tipton and Chamberlin, the votes were as follows: Yeas 16.— Nays 22.

In the affirmative were,

Messrs. Chamberlin	Murdock
Green	Powell,
Holmar	Prince
Johnson of P.	Reed
Lane	Shelby
Merrill	Tipton and
Milroy,	Mr. Speaker
Mitchell	

And those who voted in the negative were,

Messrs. Arion	Dixon
Beckes	Donaghe,
Benefield,	Johnston of K.
Bentley	Kimberly,
Broman	Kirkpatrick
Brown	Ray
Canby	Thompson
Clark,	Waldo,
Cox	Wallace,
Crisler,	Wright of W. and
Dewey,	Wright of R.

The said bill was then read the third time and passed—and on the question of its passage the yeas and nays being demanded by Messrs. Powell and Tipton, the votes were as follows: Yeas 28. Nays 9.

And those who voted in the affirmative were,

Messrs. Arion,	Johnston of K.
Beckes,	Johnson of P.
Benefield,	Kimberly,
Bentley,	Kirkpatrick,
Broman,	Merrill,
Brown,	Milroy,
Canby,	Mitchell,
Clark,	Reed,
Cox,	Thompson
Dewey,	Waldo,
Dixon,	Wallace
Donaghe,	Wright of R.
Ferris,	Wright of W. and
Holman,	Mr. Speaker.

Those who voted in the negative were,

Messrs. Chamberlin,	Prince,
Crisler,	Ray,
Green,	Shelby, and
Lane,	Tipton.
Powell,	

Ordered. That said bill be entitled an act.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate by Mr. Clark, announcing that the Senate had passed the engrossed bill from this House, entitled an act authorising a writ of *quo warranto*, to issue against the bank of Vincennes, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Graham, announcing that the Senate had concurred in the amendments made by this House, to the engrossed bill from the

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Senate, entitled an act to amend the act authorising the issuing of letters testamentary and letters of administration for the settlement of intestates estates, with amendments, in which amendments they request the concurrence of the House.

The Senate had also passed a bill to prevent the passing of counterfeit money and for other purposes, in which they ask the concurrence of this House.

And he withdrew.

And the amendments to the former bill, were read and concurred in, and the latter bill was taken up and read the first time, and the rule being dispensed with, the said bill was read a second time and ordered to be read a third time on Monday next.

The engrossed bill amending and confirming the act regulating fees was read the third time and passed.

And on the question of its passage the yeas and nays being demanded by Messrs. Murdock and Shelby, the votes were as follows : Yeas 24. Nays 11.

In the affirmative were,

Messrs. Beckes,
Benefield,
Brown,
Chamberlin,
Clark,
Cox,
Dixon,
Ferris,
Holman,
Johnston, of Knox,
Johnson of P.
Kimberly,

Kirkpatrick, J
Lane
Merrill,
Milroy, of L.
Mitchell,
Murdock,
Powell,
Shelby,
Tipton.
Waldo,
Wright of W. and
Mr. Speaker,

And those in the negative were,

Messrs. Arion,
Bentley,
Braman,
Cauby,
Cisler,
Donaghe,

Green,
Reed,
Thompson,
Wallace and
Wright of R.

On motion—

The committee of the whole were discharged from the further consideration of the bill providing for the location of the seat of Justice of Union county, and the said bill was read the third time and passed.

Ordered. That the Senate be informed thereof and their concurrence therein requested.

The House now resolved itself into a committee of the whole, on the bill to amend the several acts regulating the assessment and collection of the revenue, Mr. Johnston of Pike in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Johnston reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made several amendments to the same, in which he asked the concurrence of the House, which amendments were severally read and concurred. And on the question of concurring in the amendment made in committee of the whole, by which the county commissioners are authorised to lay a poll tax or a tax on land at their discussion for county purposes,

The yeas and nays being demanded by Messrs. Lane and Murdock, the votes were as follows : Yeas 20. Nays 19.

In the affirmative were,

Messrs. Arion,
Benefield,
Bramma,
Brown,
Canby,
Clark,
Cox,
Crisler,
Dewey,
Dixon,

Holman,
Johnson, of K.
Johnson of P.
Kimberly,
Lindsey,
Mitchell,
Tipton,
Wright of R.
Wright of W. and
Mr. Speaker.

Those in the affirmative were,

Messrs. Beckes,
Bentley,
Chamberlin,
Donaghe,
Ferris,
Green,
Lane,
McCrill,
Miller,
Mirloy,

Murdock,
Powell,
Prince,
Ray,
Reed,
Shelby,
Thompson,
Waldo and
Wallace.

Mr. Ferris then moved to amend said bill, by striking out these words out of the second section thereof, "here shall be and hereby is assessed, a tax of fifty cents on each male person over the age of twenty one years for state purposes"—and on the question, Shall the bill be so amended? It was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Lane and Ferris, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Beckes,
Bentley,
Brown,
Canby,
Chamberlin,
Dixon,
Ferris,
Green,
Johnston, of K.

Johnson of P.
Lane,
McCrill,
Mirloy,
Powell,
Reed,
Shelby and
Thompson,

Those who voted in the negative were,

Messrs. Arion,
Benefield,
Braman,
Clark,
Cox,
Crisler,
Dewey,
Donaghe,
Holman,

Kimberly,
Mitchell,
Murdock,
Prince,
Tipton,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker.

On motion of Mr. Thompson—

The House reconsidered the vote last taken—and the question again recurred on the motion of Mr. Ferris, to strike out as before stated, and on that question the yeas and nays being demanded by Messrs. Lane and Ferris, the votes were as follows: Yeas 16. Nays 19.

In the affirmative.

Messrs. Beckes,
Bentley,
Brown,
Canby,
Chamberlin

Johnston of K.
Lane,
McCrill,
Mirloy,
Murray,

Dixon,
Ferris,
Green,

Powell,
Ray, and
Shelby,

And those in the negative were,

Messrs. Arion,

Benfield,

Braman,

Clark,

Cox,

Crosby,

Dewey,

Donaghe,

Holman,

Kimberly,

Mitchell,

Murdock,

Thompson,

Tipton,

Waldo,

Wallace,

Wright of W.

Wright of R. and

Mr. Speaker,

And so it was decided in the negative.

On motion of Mr. Canby—

The House reconsidered the vote taken on concurring in the amendment made in committee of the whole, by adding an additional section thereto, by which a tax is imposed upon showmen.

And the question then recurred concerning said amendment—and on that question, the yeas and nays being demanded by Messrs. Tipton and Shelby, the votes were as follows: Yeas 14, Nays 20.

In the affirmative were,

Messrs. Beckes

Benfield,

Brown

Chamberlin

Clark,

Donaghe,

Green

Kimberly,

Merrill

Mitchell

Cox
Dixson

Shelby and
Tipton

And those who voted in the negative were,

Messrs. Arion

Braman

Canby

Dewey,

Ferris,

Holmar

Johnston of K.

Johnson of P.

Lane

Miller,

Murdock

Murray,

Powell,

Ray

Thompson

Waldo,

Wallace,

Wright of R.

Wright of W. and

Mr. Speaker

And so it was decided in the negative.

Ordered, That said bill be engrossed and read a third time on Monday next.

And the House adjourned till Monday morning nine o'clock.

MONDAY MORNING, Dec. 31, 1821.

The House met pursuant to adjournment,

A message was received from the Senate by Mr. Connor, announcing that the Senate had concurred in all the amendments made by this House to the bill to locate the seat of Justice of Union county.

And he withdrew.

Mr. Johnston of Knox, from the joint committee for enrolled bills, reported that the said committee had examined the enrolled bill entitled an act authorising the laying off

certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the said roads; and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That it be carried to the Senate and the signature of the president thereof requested thereto.

On motion of Mr. Dewey—

The House reconsidered the vote heretofore taken on the final passage of the engrossed bill establishing the office of Attorney General, and providing for the appointment of such officer.—And the question then again recurred, Shall this bill pass? which was carried in the affirmative, and the yeas and nays being demanded by Messrs. Wright of W. and Shelby, the votes were as follows:—Yeas 16—Nays 15.

Those who voted in the affirmative were

Messrs. Beckes,
Deaney
Braman,
Brown,
Caney
Dewey,
Donaghe,
Johnson of K.

Lane
Linsey,
Merrill,
Mitchell,
Muraock,
Ray,
Reed, and
Tipton.

And those who voted in the Negative were,

Messrs. Benefield,
Chamberlin,
Clark,
Dixon,
Holman,
Johnson, of Pike,
Kimberly,

Kirkpatrick,
Powell,
Prince
Shelby
Walco,
Wright of R.
Wright of W. and
Mr. Speaker.

Ordered, That the Senate be informed thereof.

Mr. Lane from the joint committee for enrolled bills, reported that the said committee had examined the following enrolled bills entitled acts, to wit: An act authorising the writ of *quo warranto* against the bank of Vincennes, the state bank of Indiana, and for other purposes; An act for the relief of William H. Ewing; An act for the formation of Decatur county, north of Jennings county; An act for the formation of a new county north of Bartholomew county; An act legalizing the election of trustees for the county library of the county of Sullivan, and for other purposes; An act authorising the issuing and reissuing treasury notes; An act for the formation of a new county out of the county of Delaware; An act providing for additional trustees for the state Seminary, and for other purposes; And an act respecting a joint resolution of the General Assembly of the state of Indiana, approved January 22d. 1820; A joint resolution of the General Assembly recommending a day of fasting and prayer; And a joint resolution providing for printing and distributing the Militia law. And had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate for the signature of the president.

Mr. Tipton introduced a bill supplemental to an act for laying off certain state roads, and appropriating \$100,000 of the fund commonly called the three per cent. fund, for opening the said roads; which was read the first time.—And

On motion of Mr. Kimberly—

The said bill was rejected—and on that question the yeas and nays being demanded by Messrs. Tipton and Donaghe, the votes were as follows:—Yeas 20—Nays 15.

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Those who voted in the affirmative were,

Messrs. Arion,	Lane,
Benefield	Milroy,
Brown,	Murdock,
Canby,	Prince,
Cox,	Ray,
Crisler,	Reed,
Dixson,	Waldo,
Donaghe,	Wallace,
Johnson, of Pike,	Wright of R. and
Kimberly,	Mr. Speaker.

Those who voted in the negative were,

Messrs. Beckes,	Kirkpatrick,
Bentley,	Lindsey,
Braman,	Merrill,
Chamberlin,	Mitchell,
Clark,	Powell,
Dewey,	Shelby,
Green,	Thompson,
Holman,	Tipton and
Johnston of Knox,	Mr. Speaker.

The engrossed bill from the Senate, entitled, an act to amend the act subjecting real and personal estate to execution; was read the second time and committed to a committee of the whole House, and made the order of the day for this day.

The engrossed bill to amend the several acts regulating the assessment and collection of the revenue; was read the third time and passed, and on the question of its passage the yeas and nays being demanded by Messrs. Ray and Murdock, the votes were as follows:—Yeas 19—Nays 18.

In the affirmative were,

Messrs. Benefield,

Kirkpatrick,

Braman	Lindsey,
Clark,	Mitchell,
Cox,	Murdock,
Crisler,	Thompson
Dewey,	Tipton,
Donaghe,	Wallace,
Holman,	Wright of R.
Kimberly,	Wright of W. and
	Mr. Speaker.

Those in the affirmative were,

Messrs. Arion	Johnston, of K.
Beckes,	Lane,
Bentley,	Merrill,
Brown,	Milroy,
Canby,	Powell,
Chamberlin,	Prince,
Dixon,	Ray,
Green,	Reed. and
Johnson of P.	Shelby,

Ordered. That the Senate be informed thereof, and their concurrence requested.

Mr. Arion, Mr. Ray, and some others gave notice that they would protest against the passage of said bill.

Messrs. Ray and Beckes entered the following protest against the Revenue Bill.

Be it remembered that we the undersigned members of the General Assembly of the state of Indiana, in the name of the people of the state of Indiana, our constituents and ourselves do hereby most solemnly protest against the passage of the act amendatory to the several acts now in force in this state, regulating the assessment and collection of the revenue—for the following, amongst other reasons, to wit:

1st. Because the law will be unjust and unequal in its operation and effect. By the assessment and collection of a poll tax, the poor & the rich are placed upon equal ground. WHEREAS we do believe that the eternal principles of justice require that the GREAT and OPULENT in all governments, and more particularly in a Republic like ours, should support such government by paying a tax in some proportion EQUAL to the property which they may own and enjoy; and which is protected by such government—and that the wealthy should be taxed for their luxury, their pride, their pomp, and privileges.

And from the spirit of our constitution, and the genius of our government representation and taxation are considered, inseparable and inseparable companions; and the citizens of the New Purchase are unrepresented in the General Assembly.

But by the provisions of the Constitution of the United States, which is the supreme law of our land, no capitation or direct tax can be laid; and such being the system adopted by this House, we do consider that the same is not congenial with the dignity or wishes of a free people; and is an infringement on that sacred article of the constitution.

JAMES B. RAY,

B. V. BECKES,

CLEVELAND J. P. ARION.

Mr. Kimberly entered the following protest against the bill creating the office of Attorney General.—And

The undersigned enters his protest against the passage of the bill for the following reasons:

1st. As to the manner in which the bill passed.

2d. As to the substance of the bill.

First. On the 28th the question was put shall the bill

pass? which was decided in the negative, yeas 18—nays 22, so the bill was rejected.—On the 31st a motion was made to reconsider the vote, and the Speaker declared it to be 22 for the reconsideration.—Immediately afterwards upon the second question of its passage, the yeas and noes being demanded, several gentlemen very prudently withheld their votes and the bill was suffered to pass 16 against 15.

Secondly. Our government has thus far progressed with the assistance of this office, and no good reason has been advanced for his appointment at this period of universal embarrassment.—Our treasury is exhausted.—We are literally without money and almost without credit.—During the present session we have been driven into some measures which nothing can justify but the extreme exigencies of the state.—The dubious power of issuing treasury notes has been exercised; the system of laying a tax by the poll, has been resorted to; a system abhorrent to the feelings of the undersigned, and equally odious and detestable to the sentiments of his constituents.—To these measures he gave his reluctant assent for the salvation of the state.—But no sooner is there a prospect of the treasury being replenished by this small pittance, than we, in the true spirit of prodigality, proceed to the creation of a new and expensive office, and one altogether useless, unless it be to harass our people and eat out their substance.

Z. KIMBERLY.

The engrossed bill from the Senate entitled an act to prevent the passing counterfeit money; was read the third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Johnston of Knox from the joint committee for enrolled bills, reported that the said committee had examined the enrolled bill entitled an act respecting the three per cent. act; and the enrolled bill entitled an act relative to costs and fees bills in this state, and had found the same truly enrolled.

Whereupon,
The Speaker signed the same.

Ordered, That they be carried to the Senate for the signature of the President.

On motion of Mr. Powell—

The committee of the whole to whom was referred the bill from the Senate to improve the navigation of the river, was discharged from the further consideration of said bill. — And

On motion of Mr. Johnston of K.—

The said bill was amended by adding the following provision thereto, viz: "The said commissioners shall in like manner remove the minor rapids, shoals, ripples and obstructions in the said river, both above and below the said Grand Rapids for the distance of fifteen miles." And the said bill was then read the 3d time and passed as amended.

Ordered, That the Senate be informed thereof, and their concurrence requested to said amendment.

A message was received from the Senate by Mr. Blake announcing that the Senate had concurred in the amendment made to said bill.

And he withdrew.

A message was received from the Senate by Mr. Morison, announcing that the Senate had passed an engrossed bill from this House amending and confirming an act entitled an act regulating the fees of the several officers and persons therein named, approved January 21st, 1816, with sundry amendments. They have also passed an engrossed bill entitled an act supplemental to an act authorising a writ of ex parte against the bank of Vincennes the state bank of Indiana, in which bill and amendments they desire the concurrence of this House.

And he withdrew.

And the said bill was read twice, the rule being dispensed with, and committed to a committee of the whole House, and made the order of the day for to-morrow.

And the amendments to the former bill were read severally, and in which the House refused to concur, except the 6th and last amendment which was made by striking out the 6th section of said bill, in which amendment the House concurred.

Ordered, That the Senate be informed thereof.

On motion of Mr. Merrill—

The committee of the whole were discharged from the further consideration of the bill providing for the sale of the seminary township in Gibson county; and the said bill was ordered to be engrossed for a third reading to day.

On motion—

The House resolved itself into a committee of the whole, to consider the bill regulating petitions for divorce. Mr. Wallace in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wallace reported, that the committee of the whole had according to order, had the said bill under consideration and had made some amendments to the same, in which they desire the concurrence of the House. — Which amendments were read and concurred in by the House.

Ordered, That said bill be engrossed for a third reading to-day.

On motion of Mr. Milroy—

The committee of the whole were discharged from the further consideration of the bill attaching part of the county of Jackson to the county of Lawrence.

Mr. Braman then moved that the further consideration of said bill be indefinitely postponed; and on that question the yeas and nays being demanded by Messrs. Braman and Milroy, the votes were as follows:—Yeas 4—Nays 31.

Messrs. Arion, Braman, Tipton and Waldo, voted in the affirmative, and all the rest in the negative.

The said bill was then read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The House now resolved itself into a committee of the whole, to consider the bill supplemental to an act declaring certain streams public highways, approved January 19th, 1820, Mr. Kirkpatrick in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kirkpatrick reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some amendments to the same, in which they ask the concurrence of the House.

On motion—

The House concurred in said amendments, and the said bill was then read the third time by its title—and on the question of its passage, it was decided in the negative; and the yeas and nays being demanded by Messrs. Johnston of Knox and Reed, the votes were as follows:—Yeas 13—Nays 20.

Those who voted in the affirmative were,

Messrs. Beckes,	Milroy,
Bentley,	Mardock,
Cox,	Rowell,
Casler,	Ray,
Kimberly,	Tipton,

Lane,

wallace, and
Mr. speaker.

Those who voted in the negative were,

Messrs. Arion,	Johnson of R.
Benefield,	Kirkpatrick,
Braman,	Lindsey,
Brown,	Merrill,
Casby,	Reed,
Dixon,	Sidby,
Donaghe,	Thompson,
Green,	Waldo,
Huban,	Wright of R. and
Johnston, of R.	Wright of W.

A message was received from the Senate by Mr. Connor, announcing that the Senate had passed the engrossed bill from this House, entitled an act regulating the assessment and collection of revenue with two amendments, in which they ask the concurrence of this House.

And he withdrew.

And the said amendments were read and concurred in by the House.

Ordered, That the Senate be informed thereof.

And the House adjourned till half past one o'clock P. M.

House met pursuant to adjournment.

The committee of the whole to whom was referred the bill repealing the act adopting the bank of Vincennes as the state bank of Indiana, were discharged from the further consideration of said bill; and Mr. Thompson then moved that the farther consideration of said bill be indefinitely postponed—which motion was decided in the negative, and the yeas and nays being demanded by Messrs. Reed and Lane, the votes were as follows:—Yeas 11—Nays 25.

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In the affirmative.

Messrs. Bentley,
Barnfield,
Brewer,
Johnston of K.
Lindsey,

Merrill,
Mason,
Powell,
Thompson,
Tipton, and
Waldo.

And those in the negative were,

Messrs. Arion,
Bartell,
Bentley,
Braman,
Canby,
Clark,
Cox,
Crisler,
Dixon,
Donaghe,
Green,
Holman,

Kimberly,
Kirkpatrick,
Lane,
Milroy,
Murdock,
Rice,
Ray,
Reed,
Shelby,
Waldo,
Wright of R.
Wright of W. and
Mr. Speaker,

The said bill was then read the third time and passed, and on the question of its passage the yeas and nays being demanded by Messrs. Johnston of Knox and Reed, the votes were as follows:—Yeas 21—Nays 12.

In the affirmative were,

Messrs. Arion,
Bentley,
Brown,
Canby,
Cox,
Crisler,
Dixon,
Green,

Lane
Milroy, of L.
Mitchell,
Murdock,
Powell,
Ray,
Reed,
Waldo,

Holman,
Kirkpatrick,

Wright of R.
Wright of W. and
Mr. Speaker

And those in the negative were,

Messrs. Battell,
Becker,
Barnfield,
Braman,
Brewer,
Donaghe,

Johnston, of Knox,
Lindsey,
Merrill,
Thompson,
Tipton, and
Waldo,

Ordered. That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed the following enrolled bills entitled acts, to wit:—An act for the formation of a new county out of the county of Delaware.

An act for the formation of Decatur county north of Jennings county.

A joint resolution providing for printing and distributing the Militia Law.

An act for the formation of Shelby county, north of Bartholomew county.

A joint resolution of the General Assembly, recommending a day of Fasting and Prayer.

An act for the relief of William H. Ewing.

An act providing for additional trustees for the State Seminary, and for other purposes.

An act to authorize the issuing the writ of quo warranto against the Bank of Vincennes, the State Bank of Indiana, and for other purposes.

An act legalizing the election of trustees for the County Library of Sullivan county, and for other purposes.

An act repealing a joint resolution of the General Assembly of the state of Indiana, approved January 22d, 1844.

An act authorising the issuing and reissuing of Treasury notes.

An act authorising the laying off certain state roads, and appropriating one hundred thousand dollars of the fund commonly called the three per cent fund, to opening the said roads.

A joint resolution respecting the three per cent. act.

And an act relating to costs and fee bills in this state.

And he withdrew.

And Mr. Lane, from the joint committee for enrolled bills, reported that the aforesaid bills were this day presented to the Governor, for his approbation and signature.

A message was received from the Governor, by Mr. Moore, his private secretary, announcing that he did on Wednesday last approve and sign an act to amend the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings at law and suits in chancery, and did on this day approve and sign an act attaching part of Switzerland county to the county of Ripley.

An act attaching part of Posey county to the county of Gibson.

An act providing for the election of president and trustees for the Monroe County Library.

An act for the relief of Wm. H. Ewing.

An act for the relief of Robert Gray and Reuben H. Murray.

And a joint resolution providing for printing and distributing the militia law.

All of which originated in the House of Representatives

And he withdrew.

A message from the Senate, by Mr. Slaughter, was received, announcing that the Senate had passed an engrossed bill from this House, entitled an act providing for Judicial Circuits, and fixing the times of holding Courts, with sundry amendments, to which they desire the concurrence of this House.

And he withdrew.

And the said amendments were taken up and read and concurred in.

Ordered, That the Senate be informed thereof.

The engrossed bill providing for the sale of the seminary township in Gibson county, was read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

Mr. Lane, from the committee of enrolled bills, reported that they had compared with the engrossed and found truly enrolled the following bills, viz:

An act providing for the location of the seat of Justice of Union county.

An act establishing the office of Attorney General, and providing for the appointment of such officer.

And an act to prevent passing counterfeit money, and for other purposes.

And the Speaker signed the same.

Ordered, That the Senate be informed thereof and the signature of the President requested.

The bill to abolish the office of Trustee of the public seminary, was taken up—And,

On motion—

The further consideration was postponed till the first Monday of December next.

On motion—

The House resolved itself into a committee of the whole, on the bill to amend the act, reducing into one all acts and parts of acts relative to crime and punishment—Mr. Murdock in the chair—and after some time spent therein, Mr. Speaker took the chair, and Mr. Murdock reported that the committee of the whole had had the said bill under consideration, but not having time to go through the same, had directed him to ask leave to sit again.

On motion,

Leave was granted.

A message from the Senate, by Mr. Grayham, announcing that the Senate insist on their amendment to the bill amending and confirming an act entitled an act regulating the fees of officers and persons therein named, approved Jan. 21st, 1818.

And he withdrew.

A message from the Senate, by Mr. Slaughter, announce-

ing that the Senate had passed an act to continue in force an act entitled an act supplemental to an act locating certain precinct roads therein named, and for other purposes, approved Jan. 9th, 1821, which originated in this House, without amendment.

And he withdrew.

A message from the Senate, by Mr. Blake, announcing that the President of the Senate had signed an enrolled bill entitled an act to prevent passing counterfeit money, and for other purposes; an act providing for the location of the seat of justice of Union county; and an act establishing the office of Attorney General, and providing for the appointment of such officer.

And he withdrew.

On motion,

The House resolved itself into a committee of the whole, on the bill relative to the state prison at Jeffersonville—Mr. Ray in the chair—and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ray reported that the committee of the whole had according to order had the said bill under consideration, and had made some amendments thereto, in which he was directed to ask the concurrence of the House.

On motion,

The House concurred in the amendments made in the committee of the whole.

On motion,

The said bill was ordered to be engrossed and read a third time to-day.

The House proceeded to consider the message from the Senate, announcing that the Senate would insist on their

amendments made to the bill from this House, on the subject of fees.—And,

On motion,

Resolved, That this House will adhere to their objections to said amendments, and that the Senate be informed thereof.

The engrossed bill regulating petitions for divorce, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

On motion—

The committee of the whole were discharged from the further consideration of the bill to amend the act regulating divorce, approved January 20th, 1813.

And the said bill was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The bill to amend the act providing for the incorporation of towns; approved January 1st, 1817—and the bill for the relief of the county agent of Pike county, were read the 3d time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate, by Mr. Wick, announcing that the Senate had concurred in the amendment made by this House to the amendment made by the Senate

to the bill to amend the several acts regulating the assessment and collection of revenue.

And he withdrew.

On motion—

The committee of the whole were discharged from the further consideration of the bill for the relief of Ann Laddlow; and the said bill was read the third time and passed.

Ordered, That said bill be entitled an act and that the Senate be informed thereof and their concurrence therein requested.

The bill relative to the state prison at Jeffersonville was read the third time—and on the question of its passage, the yeas and nays being demanded by Messrs. Shelby and Wright of Washington, the votes were as follows: Yeas 18. Nays 18.

In the affirmative were,

Messrs. Arion,	Rickpatrick,
Battell,	Lindsey,
Braman,	Merrill,
Camb,	Mitchell,
Clark,	Powell,
Cox,	Prince,
Dewey,	Thompson,
Green,	Tipton, and
Halman,	Wright of R,

Those in the affirmative were,

Messrs. Benefield,	Kimberly,
Beckes,	Lane,
Borley,	Murray,
Brown,	Murdock,
Crisler,	Ray,

Dixon,
Donaghe,
Johnson, of K.
Johnson of P.

Reed,
Shelby,
Wright of W. and
Mr. Speaker.

There being an equal number of votes in the affirmative and negative, the said bill was rejected.

On motion of Mr. Merrill—

The bill fixing the time of the commencement of the next and each succeeding General Assembly, was indefinitely postponed.

The engrossed bill from the Senate, entitled an act to authorise the guardians of the infant heirs of Henry [unclear] deceased, to lay out certain monies, was taken up—A.

On motion of Mr. Murdock—

Postponed until the first Monday in December, 1822.

The House now, according to order, resolved itself into a committee of the whole, on the bill authorizing call sessions of the circuit court and for other purposes, Mr. Mitchell in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Mitchell reported, that the committee of the whole had, according to order, had the said bill under consideration and had made some amendments to the same, in which they desire the concurrence of the House.

Which amendments were read and concurred in—And,

On motion,

Said bill was then read the third time and passed.

Ordered, That said bill be entitled an act and that the Senate be informed thereof and their concurrence thereon requested.

And the House adjourned till six o'clock this evening.

House met pursuant to adjournment.

On motion of Mr. Dewey—

The committee of the whole to whom was referred, the bill to amend the act to prevent waste on lands reserved for the use of schools and salt springs, were discharged from the further consideration of said bill, and the same was then read the third time and passed.

Ordered, That the said bill be entitled an act, and that the Senate be informed thereof and their concurrence thereon requested.

On motion of Mr. Thompson—

The engrossed bill relative to the state prison at Jeffersonville, was committed to a committee of the whole House, and made the order of the day for this evening—And,

On motion of Mr. Thompson—

The House now resolved itself into a committee of the whole on said bill. Mr. Wright of Washington in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Wright reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made an amendment thereto, in which he asked the concurrence of the House.

On motion—

The House concurred in said amendment.

The said bill was then read the third time and passed.

And on the question of its passage the yeas and nays being demanded by Messrs. Shelby and Wright of Washington, the votes were as follows: Yeas 22. Nays 15.

Those who voted in the affirmative were,

Messrs. Arion,	Johnson, of Pike,
Battell,	Kirkpatrick,
Bragan,	Lindsey,
Cady,	Marshall,
Chamberlain,	Mitchell,
Clark,	Powell,
Cox,	Pierce,
Dewey,	Thompson,
Green,	Waters,
Holman,	Winters and
Johnston of Knox,	Wright of R.

Those who voted in the negative were,

Messrs. Beckes,	Kirabery,
Benfield,	Murray,
Bentley,	Reed,
Brown,	Shelby,
Crisler,	Wright of W. and
Dixon,	Mr. Speaker.
Donaghe,	

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence requested.

Mr. Lane from the joint committee for enrolled bills, reported, that said committee had examined the enrolled bill entitled an act, providing for judicial circuits, and fixing the times of holding courts therein, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bill be carried to the Senate, and the signature of the president requested thereto.

A message was received from the Senate by Mr. Blake, announcing that the President of the Senate had signed the above named bill.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had presented the aforesaid bill to his excellency the Governor, for his approbation and signature.

A message was received from the Senate by Mr. Gray, announcing that the Senate had passed an engrossed bill from this House entitled an act to amend the act, regulating divorcees without amendment.

And he withdrew.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the engrossed bill from this House, supplemental to an act, for the incorporation of towns, and the bill for the relief of Ann Ludlow, without amendment.

On motion of Mr. Johnston of Knox—

The committee of the whole were discharged from the further consideration of the bill authorising John Fischli to keep a ferry across the Ohio river below and adjoining the town of Jeffersonville, and the said bill was then read the 3d time and passed.

Ordered, That the Senate be informed thereof.

A message was received from the Governor by Mr. Moore, his private Secretary, announcing that he did on this evening approve and sign an act providing for judicial circuits, and fixing the times of holding courts therein.

And he withdrew.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had passed the following resolution:

Resolved, That the Senate are now ready to meet the House of Representatives in the Representatives' chamber, for the purpose of electing a president judge for the fifth judicial district in this state; as also an attorney general, & have appointed Mr. Harrison teller on their part, and that the House of Representatives be informed thereof.

And he withdrew.

On motion,

Resolved, That the Senate be invited to attend immediately in the Representatives' chamber, for the purpose of electing a presiding judge for the fifth judicial district, and an attorney general for this state, and that they be informed that Mr. Johnston of Knox is appointed teller on the part of this House.

The Senate came in and took their seats on the right of the Speaker's chair, and the two houses proceeded by joint ballot to elect a presiding judge for the fifth judicial circuit of the state of Indiana; and upon examination it appeared that William W. Wick, was duly elected to that office.

Whereupon,

The president of the Senate in presence of both Houses of the General Assembly, proclaimed the said William W. Wick, duly elected presiding judge of the fifth judicial circuit of the state of Indiana.

The two Houses then proceeded by joint ballot to elect an attorney general; and upon examination it appeared that Harbin H. Moore, was duly elected to that office.

Whereupon,

The president of the Senate in presence of both Houses of the General Assembly proclaimed the said Harbin H. Moore, duly elected attorney general of the state of Indiana.

The Senate retired to their chamber.

And the House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, Jan. 1st, 1822.

The House met pursuant to adjournment.

Mr. Johnston of K. presented the following protest viz:

"The undersigned in the name of himself and his constituents, protest most solemnly against the passage of the act repealing the act adopting the bank of Vincennes as the state bank of Indiana, for the following reasons:

1st. The 1st Sec. of the 10th Article of the Constitution of Indiana, provides that the General Assembly of the state, should adopt either the Vincennes or Madison bank as the state bank. And the General Assembly having by the act repealed by the above act, adopted the bank of Vincennes as the state bank, the same thereby became a component part of the constitution, and consequently placed without the control of the Legislature.

2d. After the passage of the act of adoption as above, it became a vested right in the president, directors and company, which could not divest without the mutual consent of the state and the stockholders.

3d. The act authorising the writ of quo warranto which passed at the present session, fully provides a remedy for the writ, an antidote for the poison, if any really exists in

The directory of the said bank. And the present repealing act appears to the protestor as an unnecessary and unmerited persecution of a fallen enemy.

G. W. JOHNSTON.

Dec. 31st, 1821.

Mr. Ray from the select committee to whom was referred the communication of his Excellency the Governor, on the subject of a house for the executive, reported that the said committee had had that subject under consideration and had directed him to report a joint resolution for the relief of Harbin H. Moore, which he handed in at the clerk's table where it was read and ordered to be read a 2d time to-morrow.

Mr. Canby having obtained leave, introduced a bill to amend the act for carrying the laws into effect in new counties, which was read and (the rule being dispensed with) the said bill was read a second and third time and passed.

Ordered, That said bill be entitled an act and that the Senate be informed thereof, and their concurrence requested.

Mr. Lane from the joint committee for enrolled bills reported that the said committee had examined the enrolled bill entitled an act relating to the navigation of the river Wabash, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate, and the signature of the president requested thereto.

On motion of Mr. Wright of R.—

The House reconsidered the vote heretofore taken rejecting the bill establishing a state road from New Albany by Lanesville to Corydon. And the question then recurred

shall the bill be rejected? And on that question it was decided in the negative; and the yeas and nays being demanded by Messrs. Prince and Johnston of K. the votes were as follows:—Yeas 11—Nays 25.

And those who voted in the affirmative were,

Messrs. Battell,	Johnson of P.
Canby,	Lane,
Cox,	Powell,
Crisler,	Reed.
Dixon,	Prince, and
Donaghe,	Waldo,

Those who voted in the negative were,

Messrs. Arion,	Lindsey,
Becker,	Merrill,
Bensfield,	Milroy,
Bentley,	Mitchell,
Braman,	Powell,
Chamberlin,	Ray,
Clark,	Shelby,
Dewey,	Thompson,
Green,	Tipton,
Holman,	Waldo,
Kimberly,	Wright of R.
Kirkpatrick,	Wright of W. and
	Mr. Speaker.

The said bill was then read the second time by its title and committed to a committee of the whole House, and made the order of the day for this day.

A message was received from the Senate by Mr Daniel, announcing that the Senate had passed the engrossed bill from this House entitled an act providing for the sale of the Seminary township in Gibson county without amendment.

And he withdrew.

Ww

A message from the Senate by Mr. Blake, announcing that the president of the Senate had signed the enrolled bill entitled an act relating to the navigation of the river Washash.

And he withdrew.

Mr. Dewey from the committee on that subject, made the following report:

Mr. Speaker,

The committee to whom was referred the message of the Governor accompanied by a letter from the Governor of Louisiana, and by a report of the Legislature of that state, relating to the establishment of certain hospitals therein, have had the subject under consideration, and beg leave to recommend to the House of Representatives, the following resolutions.

Resolved by the House of Representatives of the state of Indiana, That the House coincides in opinion with the Legislature of the state of Louisiana in regard to the importance of the commerce of the Mississippi, to all the states and territories bordering upon that river, and its tributary streams; that we view with approbation every effort for its protection and permanent security; and contemplate with grateful satisfaction the measures, which with objects so desirable, combine the considerations of benevolence and humanity. This House is fully sensible of the liberal and humane views of the Legislature of Louisiana in the erection of hospitals at certain points on the Mississippi, and readily recognise the claim of that body upon the Legislature of this state for assistance in the accomplishment of purposes so beneficial to our citizens. But we regret that the present state of our finances, places it entirely out of our power, effectually to co-operate in measures which have our best wishes; and we indulge the hope, that at no distant period a future Legislature of this state will be enabled to lend to Louisiana that assistance which it is not in the power of the present to afford.

Resolved, That his excellency the Governor, be requested to communicate the following resolution to the Executive of the state of Louisiana.

Which report and resolutions were read—And

On motion—

The same were concurred in by the House.

Mr. Merrill from the committee on education, to which was referred the resolution directing them to enquire into the state of the funds in the hands of Trustees of public seminaries, The petitions of John J. Neely and others, and Jacob Helvey and others, praying the time of leasing seminary lands to be extended. The petition of John J. Neely & others praying the specific appropriation of the seminary funds in Gibson county. And the report of the committee appointed at last session to propose a general system of education, made the following report:

Your committee cannot ascertain with certainty, the amount of money arising from fines in the hands of trustees of public seminaries; from a number of the counties, no returns have ever been made, and though in others the law has been fully complied with, yet such are the defects of the present system that there are no means of enquiring into the correctness of these returns or the conduct of the trustees. Such a state of things must have a tendency to destroy all idea of responsibility.

From the following counties returns were made for the years 1820 and 21, and the sums annexed to them; the state of those funds in each year.

	For the year 1820,	1821.
Harrison	\$317 57,	436 54 1-2
Washington	368 75,	454 08 1-2
Gibson		398 00
Lawrence	114 21,	464 25
Spencer	417 00,	

Jefferson	140 57,	
Fayette	21 44,	69 44
Sullivan	161 60,	195 93
De arborn	376 98,	
Jackson	88 81,	
Jennings	65 37 1 2	99 17 1-2
Vancerburch	191 71	316 55
Perry	101 00	312 00
Orange	438 02	521 75
Switzerland	191 51	
Davess	21 96	
Monroe	42 02	54 54
Crawford	94 50	
Dubois	64 00	
Wayne rec'd in 1820.	66 78 in '21	62 45
Clarke	175 76	19 25

As the existing laws authorise the trustees to loan the funds in their hands, it would not be surprising if when left to act without control or observation much loss should be finally sustained. Your committee considering it doubtful what amount may be realised, deem it inexpedient at present to provide for its appropriation, and in a matter of such importance to legislate for particular counties, would not be advisable.

Your committee are of opinion that it is not expedient at present to pass a law to extend the time of leasing seminary lands in compliance with the petitions that have been referred to them on that subject. It is believed that the leases hitherto made have been productive rather of injury than benefit, and that unless that mode is materially changed, it must be abandoned; but should the state commence the sale of those lands and either apply the avails in the purchase of other lands or for the purposes they were designed, a general interest on the subject would be felt, under which those funds would be fostered more carefully. But if the period should appear remote at which they might be enjoyed, little exertion would be made to prevent their being diverted to improper purposes.

Your committee have also examined the valuable report of the committee appointed by the last General Assembly, to prepare a general system of education. The facts there exhibited and conclusions there drawn, will contribute in a great degree to facilitate the labors of future legislatures. Its publication and circulation through the state, will it is fondly hoped give an impetus to the progress of science, which if properly attended for must, as it advances, increase in velocity. No time should be lost in commencing a career so honorable and important to the country. Without an early and general diffusion of knowledge it will be impossible to form a respectable state character, to efface the prejudices of a heterogeneous population, or to place much reliance on the perpetuity of our republican institutions. Unless education is early attended to, the difficulty of harmonizing the discordant materials, of which the state of Indiana is composed, will be increased and they may be stigmatised as ignorant and presumptuous long after those disgraceful traits of character have ceased to exist. The liberality of Congress and the examples of other states, present the prospect that a course may be pursued which will insure success, and that it need not be long before the votaries of science may here find abundant materials for mental improvement.

Your committee recommend the adoption of the following resolution:

Resolved, That the petitions of John J. Neely and others, praying the extension of the time of leasing seminary lands; and the petition of John J. Neely and others, praying for the specific appropriation of the funds in the hands of the trustees of Gibson county ought not to be granted.

In which report and resolution the House concurred.

Mr. Merrill also reported a bill to amend the act respecting public seminaries and for other purposes; which was read twice, the rule being dispensed with, and ordered to be engrossed for a third reading to-day.

The House proceeded to consider the orders of the day.

The House according to order now resolved itself into a committee of the whole, to consider the engrossed bill from the Senate entitled an act for general retrenchment of county expenditure, Mr. Dewey in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dewey reported, that the committee of the whole had according to order had the said bill under consideration and had made some amendments to the same and had directed him to ask the concurrence of the House to said amendments.

Which amendments were read and concurred in by the House.

Mr. Lane then moved to amend the said bill by adding the following provision thereto viz: "Provided that it shall not be lawful for any tavern-keeper to charge any grand juror during his necessary attendance on said court more than fifty cents per day for board."

And on the question, Shall the bill be so amended? it was decided in the negative; and the yeas and nays being demanded by Messrs. Thompson and Bentley, the votes were as follows:—Yeas 14—Nays 18.

Those who voted in the affirmative were

Messrs. Beckes,	Lane
Bentley	Milroy,
Chamberlin,	Powell,
Dixon,	Reed,
Green,	Shelby
Johnston of K.	Waldo, and
Kimberly,	Wright of W.

And those who vote in the Negative were,

Messrs. Arion,	Merrill,
Battell,	Murdock,
Braman,	Prince

Brown,
Canby
Holman,
Johnson, of Pike,
Kirkpatrick,
Lindsey,

Ray,
Thompson;
Tipton
Wallace
Wright of R. and
Mr. Speaker.

Mr. Arion then moved to amend said bill by striking out of the first section thereof, these words viz: "Supervisors of public highways, viewers of roads and overseers of the poor, be and the same is hereby repealed." Which motion was negatived.

Mr. Wright of Washington then moved to amend said bill in the 2d section thereof, immediately after the word commissioners to strike out the words "associate judges." And on the question, Shall the bill be so amended? The yeas and nays being demanded by Messrs. Wright of W. and Holman, the votes were as follows:—Yeas 9—Nays 25.

In the affirmative were,

Messrs. Chamberlin
Dixon
Holmar
Kirkpatrick

Shelby
Tipton
Waldo,
Wright of W. and
Mr. Speaker

And those who voted in the negative were,

Messrs. Arion
Battell,
Beckes
Bentley,
Braman
Brown
Canby
Clark,
Donaghe,
Green
Johnston of K.
Johnson of P.

Kimberly,
Lane
Merrill
Milroy,
Mitchell
Murdock
Powell,
Prince
Ray
Reed,
Thompson
Wallace, and
Wright of R.

On motion of Mr. Mitchell—

The said bill was then amended by striking out that part of it by which the compensation now allowed by law to county commissioners is reduced.

The said bill was then read the third time and passed as amended.

Ordered, That the Senate be informed thereof.

A message was received from the Governor by H. H. Moore, Esq. his private secretary, announcing that he did on yesterday approve and sign the following enrolled bills entitled acts, viz :

• An act authorising the issuing and reissuing of treasury notes.

An act to amend the several acts for opening and repairing public roads and highways.

An act to authorise the issuing a writ of quo warranto against the bank of Vincennes, the state bank of Indiana and for other purposes.

An act for the formation of Henry county out of the county of Delaware.

An act repealing a joint resolution of the General Assembly of the state of Indiana, approved January 22d, 1820.

An act for the formation of Decatur county north of Jennings.

An act for the formation of a new county out of the county of Delaware.

An act for the formation of Shelby county north of Bartholomew county.

An act for the formation of a new county west of Franklin and Fayette.

An act providing for additional trustees for the state seminary and for other purposes.

An act for the better regulation of the militia of the state of Indiana.

And a joint resolution of the General Assembly, recommending a day of Fasting and Prayer."

All of which originated in the House of Representatives:

And he withdrew.

A communication in writing was received from the Governor by Mr. Moore, his private secretary: which was read and is as follows:

THE HONORABLE,

The House of Representatives.

Herewith is presented to the consideration of the General Assembly, a report of a committee and resolutions of the Legislature of the state of Vermont on the appropriation of public land for the purposes of education.

Respectfully &c.

JONATHAN JENNINGS.

January 1st, 1822.

Which communication was read together with the documents alluded to, and ordered to lie on the table.

And the House adjourned till half past one o'clock P. M.

Xx

House met pursuant to adjournment.

The committee of the whole to whom was referred the bill attaching Wabash county to the county of Owen, were discharged from the further consideration of said bill; and the same was read the third time and passed—And

On motion of Mr. Shelby—

The title of said bill was amended by striking out the word "Owen" and inserting in lieu thereof the word "Putnam."

Ordered, That the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Dewey—

The committee of the whole, to whom was referred the bill to establish a state road from Leavenworth to Terre Haute, was discharged from the further consideration of the said bill, and the same was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Braman—

The committee of the whole to whom was referred the bill to amend the act defining and regulating the duties of constables; was discharged from the further consideration of the same.—And

On motion of Mr. Prince—

The said bill was amended by adding an additional section thereto; and the said bill was then read the third time and passed.

Ordered, That said bill be entitled an act, and that the

Senate be informed thereof, and their concurrence requested.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed a bill to declare in force a law on the subject of fees, in which they ask the concurrence of this House.

And he withdrew.

And the said bill was read twice and laid on the table.

A message was received from the Senate by Mr. Harrison, announcing that the Senate request a committee of free conference, to adjust the difference between the two Houses in relation to the amendments made by the Senate to an engrossed bill from the House of Representatives, entitled an act amending and confirming an act entitled an act regulating the fees of the officers and persons therein named, approved January 21st, 1821; and have appointed Messrs. Harrison, Clark and Slaughter managers on their part.

On motion of Mr. Lane—

A committee of free conference was appointed on the part of this House pursuant to the request of the Senate, consisting of Messrs. Lane, Johnston of Knox and Tipton, as managers.

Ordered, That the Senate be informed thereof.

The House according to order now resolved itself into a committee of the whole, to consider the bill to amend the act reducing into one all acts and parts of acts now in force in this state respecting crimes and punishment, Mr. Murdock in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Murdock reported, that the committee of the whole, had according to order had said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House; which amendments were read & concurred in by the House.

Ordered. That the said bill be engrossed for a third reading to-morrow.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed an engrossed bill from this House, entitled an act authorizing call sessions of the circuit court within this state and for other purposes, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Wick, announcing that the Senate have concurred in the fifth amendment made by this House to the engrossed bill from the Senate entitled an act for the general retrenchment of county expenditures, and have refused to concur in the 1st 2d, 3d and 4th amendments to said bill.—And

And he withdrew.

And the House proceeded to consider said amendment.—And

On motion—

The House receded from their second and fourth amendments to said bill, and insist on the first and third amendments to said bill.

Ordered. That the Senate be informed thereof.

On motion of Mr. Wright of Washington—

The committee of the whole to whom was referred the bill authorizing the county commissioners to appoint their own clerk, were discharged from the further consideration of the same. And the said bill was then read the third time and passed, and on the question of its passage the yeas and nays being demanded by Messrs. Arion and Beckes, the votes were as follows:—Yeas 24—Nays 13.

Those who voted in the affirmative were,

Messrs. Benefield,	Lindsey,
Bentley,	Milroy,
Braman,	Mitchell,
Brown,	Murdoch,
Chamberlin,	Rowell,
Cox,	Shelby,
Dixon,	Tompson,
Ellen,	Tipton,
Holman,	Walde,
Kimberly,	Wright of R.
Kirkpatrick,	Wright of W. and
Lane,	Mr. speaker,

Those who voted in the negative were,

Messrs. Arion,	Johnston, of K.
Battell,	Johnson of P.
Beckes,	Merrill,
Carby,	Prince,
Crisler,	Ray,
Donaghe,	Reed, and
	Wallace,

Ordered. That said bill be entitled an act, and that the Senate be informed thereof and their concurrence requested.

A message was received from the Senate by Mr. Harrison, announcing that the Senate insist on their objections to the first and third amendments made by the House of Representatives to the bill from the Senate for the general retrenchment of county expenditures.

On motion—

Resolved. That a committee of free conference be appointed on the part of this House, on the subject matter of dispute between the two Houses on the amendments made by

This House to the engrossed bill from the Senate entitled an act for the general retrenchment of county expenditures, and that the Senate be requested to appoint a similar committee.—And

Thereupon,

Messrs. Powell and Merrill, were appointed managers on the part of this House.

Ordered, That the Senate be informed thereof.

The engrossed bill to amend the act respecting public seminaries; was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The House according to order now resolved itself into a committee of the whole, to consider the bill authorising the agent at Indianapolis, to lease a ferry and for other purposes, Mr. Chamberlin in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chamberlin reported, that the committee of the whole, had according to order had the said bill under consideration and had made some amendments to the same, in which they ask the concurrence of the House.

On motion,

The House concurred in the said amendments generally.

And the said bill was then read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The bill dividing the state into districts, and providing for the election of members to Congress; was read the sec-

ond time and committed to the committee of the whole, to which was referred the engrossed bill from the Senate entitled an act dividing the state into congressional districts, for the purpose of electing members to Congress.—And

On motion—

The House now resolved itself into a committee of the whole, on said bill, Mr. Thompson in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Thompson reported, that the committee of the whole, had according to order had said bills under consideration and had amended the same by striking them out from the enacting clauses, in which amendments he was directed to ask the concurrence of the House.

On motion—

The House concurred in the amendment made to the bill which originated in this House.

And on the question of concurring in the amendment made to the bill from the Senate entitled an act dividing the state into congressional districts for the purpose of electing members to Congress, it was decided in the negative; and the yeas and nays being demanded by Messrs. Lane and Lindsey, the votes were as follows:—Yeas 16—Nays 22.

In the affirmative were,

Messrs. Arion,
Braman,
Brown,
Canby,
Clark,
Crisler,
Green,
Kirkpatrick,

Merrill,
Milroy, of L.
Mitchell,
Tipton,
Wallace,
Wright of R.
Wright of W. and
Mr. Speaker,

And those in the negative were,

Messrs. Battell,	Kimberly,
Beckes,	Lane
Benfield,	Linsley.
Bentley,	Mantock,
Chamberlin,	Powell,
Dewey,	Pence
Dixon,	Ros.
Dughe,	Ross,
Holman,	Snellby.
Johnston, of Knox,	Thompson, and
Johnson of P.	Waide,

The said bill was then read the third time and passed.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Gregory, announcing that the Senate had appointed Messrs. Gregory and Cotton, a committee of free conference on the subject matter of difference between the two Houses respecting the bill entitled an act for the general retrenchment of county expenditures.

And he withdrew.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed a joint resolution for the relief of Benjamin Adams; in which they ask the concurrence of this House.

And he withdrew.

And the said joint resolution was read the first time, and the rules being dispensed with, the same was read the second and third times and passed.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Laugh-

lin, announcing that the Senate had passed the engrossed bill from this House entitled an act to amend the act entitled an act respecting public seminaries, and for other purposes, without amendment.

And he withdrew.

Mr. Lane from the committee of free conference, made the following report:

Speaker,

The committee appointed on the part of this House to act with a similar one appointed on the part of the Senate, as a free conference on the disagreement between the two Houses on the bill entitled an act amending and confirming an act regulating the fees of the several officers and persons therein, approved January 21st 1818; have performed that duty and have agreed that the Senate recede from their amendments made to the bill, by striking out the second, third and fourth sections of said bill, and that the House of Representatives concur in the amendments made by the Senate in striking out the fifth and sixth sections of said bill.

In which report the House concurred.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had concurred in the report of the managers from the committee of free conference on the subject of the disagreement between the two Houses in relation to the amendments made by the Senate to the engrossed bill from the House of Representatives entitled an act amending and confirming an act entitled an act regulating the fees of the several officers and persons therein named, approved January 21st, 1818.

And he withdrew.

And the House adjourned till six o'clock this evening.

Yr

Tuesday Evening 6 o'clock, January 1, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House, a communication from Henry Shannon on the subject of relief, which was read and laid on the table.

On motion,

The House resolved itself into a committee of the whole, on the bill supplemental to an act entitled an act for opening certain state roads, and appropriating one hundred thousand dollars of the fund, commonly called the three per cent. fund, for opening said roads, Mr. Reed in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Reed reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, and had directed him to ask the concurrence of the House to said amendments, and the rule being dispensed with, the said bill was read the third time, by its title, and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

On motion of Mr. Kirkpatrick—

The committee of the whole were discharged from the further consideration of the bill, attaching part of Harrison county to the county of Floyd—and the said bill was read the third time; and on the question of its passage, it was decided in the negative.

And the yeas and nays being demanded by Messrs. Tipton and Powell, the votes were as follows: Yeas 8. Nays 20.

Those who voted in the affirmative were,
Messrs. Bentley, Prince,
Crisler, Read,
Johnson, of Pike, Shelby, and
Kirkpatrick, Mr. Speaker.
Lans,

Those who voted in the negative were,

Messrs. Battell,	Lacey,
Benefield,	Merrill,
Braman,	Mitchell,
Brown,	Murdock,
Canby,	Powell,
Cox,	Tipton,
Donaghe,	Waldo,
Green,	Wallace,
Holman,	Wright of R.
Kimberly,	Wright of W. and
	Mr. Speaker.

On motion of Mr. Merrill—

The House resolved itself into a committee of the whole, to consider the bill providing for the distribution of the laws and journals—and the bill making appropriations for the year 1832, Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Powell reported, that the committee of the whole had, according to order, had the said two bills under consideration and had made several amendments to the former, in which they ask the concurrence of the House, and had made some progress in the latter, but not having had time to go through the same, desire leave to sit again.

Whereupon,
Leave was given.

And the amendments to the former bill was read and carried in by the House, and the said bill were then read the third time and passed.

Ordered, That it be entitled an act and that the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate by Mr. Baugh-
ter, announcing that the Senate had passed an engrossed
bill from this House, entitled an act to establish a perma-
nent road from Levenworth to Terre Haute, with some a-
mendments, to which they ask the concurrence of this House.

And he withdrew.

And the amendments were read and concurred in by this
House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Graham,
announcing that the Senate had concurred in the amend-
ments made by this House to the engrossed bill from the
Senate, entitled an act dividing the state into Congres-
sional districts, for the purpose of electing members to the Con-
gress of the United States.

On motion of Mr. Milroy—

The committee of the whole were discharged from the
further consideration of the bill abolishing the office of coun-
ty commissioners, and establishing a board of magistrates;
and Mr. Beckes moved, to postpone the further considera-
tion of said bill indefinitely, and on that question it was de-
cided in the negative.

And the yeas and Nays being demanded by Messrs.
Dewey and Lindsey, the votes were as follows: Yeas 13.
Nays 20.

In the affirmative were,

Messrs. Benefeld, Merrill,
Becker, Mitchell,

Brown, Powell,
Chamberlin, Ray,
Dixon, Tipton, and
Holman, Wright of R.
Johnston, of K.

Those in the negative were,

Messrs. Battell, Kimberly,
Brewan, Kirtpatrick,
Cahby, Lane,
Clark, Lindsey,
Cox, Milroy,
Crisler, Prince,
Dewey, Thompson,
Donaghe, Wallace,
Green, Wright of W. and
Johnson, of P. Mr. Speaker.

Ordered, That said bill be engrossed for a third read-
ing to-morrow.

A message was received from the Senate by Mr. Wick,
announcing that the Senate refuse to concur in the amend-
ment made by this House, to an amendment made by the
Senate, to the bill supplemental to an act to prevent waste
on lands reserved for the use of schools and salt springs.

And he withdrew.

A message was received from the Senate by Mr. Blake,
announcing that the Senate had passed the bill from this
House, entitled an act attaching the county of Wabash to
the counties of Park and Putnam, without amendment.

And he withdrew.

And the House adjourned until to-morrow morning 9
o'clock.

WEDNESDAY MORNING, Jan. 9, 1822.

The House met pursuant to adjournment.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed the engrossed bill from this House, entitled an act to provide for the distribution of the laws and journals of the present General Assembly, with one amendment, in which they ask the concurrence of this House.

And he withdrew.

And the said amendment was read and concurred in by this House.

Ordered, That the Senate be informed thereof.

Mr. Prince introduced a joint resolution respecting the revision of the laws, which was read, and the rules being dispensed with, the same was read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence therein requested.

Mr. Lane from the joint committee for enrolled bills, reported, that the said committee had examined the following enrolled bills entitled acts, to wit:

1. An act amendatory to an act entitled an act authorizing the granting of letters testamentary and letters of administration for the settlement of intestate estates and for other purposes.

2. An act amendatory to the several acts now in force, regulating the assessment and collection of revenue.

3. An act supplemental to the act, providing for the in-

corporation of towns in the state of Indiana, Approved January 1st, 1817.

4. An act to continue in force, an act entitled an act supplemental to an act locating certain roads therein named and for other purposes, Approved January 9th, 1821.

5. An act to provide for the sale of the Seminary township in Gibson county and for other purposes.

6. An act authorising called sessions of the circuit courts within this state for the purposes therein mentioned.

7. An act authorising John Fischli to keep a ferry below and adjoining the town of Jeffersonville.

8. An act for the relief of the county agent of Pike county.

9. An act for the relief of Ann Ludlow.

10. An act to amend an act regulating elections, Approved January 26th, 1818.

11. A joint resolution for the relief of Benjamin Adams, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate for the signature of the President thereof.

A message was received from the Senate by Mr. Blake, announcing that the President of the Senate had signed the aforesaid bills.

A message was received from the Senate by Mr. Gregory, announcing that the Senate had passed the engrossed

bill from this House, entitled an act authorising the agent at Indianapolis, to lease a ferry, with an amendment, in which they ask the concurrence of this House.

And he withdrew.

And the said amendment was read and concurred in by this House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed the joint resolution from this House, respecting the revision of the laws, with an amendment, to which they ask the concurrence of this House.

And he withdrew.

And the said amendment was read and concurred in by this House.

Ordered, That the Senate be informed thereof.

Mr. Speaker laid before the House, a communication and documents from D. C. Lane, Esq. treasurer of state, which was read and is as follows:

TREASURY DEPARTMENT, Corydon Jan. 2, 1822.

The treasurer of state in obedience to a joint resolution of both Houses of the General Assembly, approved December the 1821, requiring the demand of payment of all notes in the treasury, issued by the bank of Vincennes adopted the state bank of Indiana, submits the following report:

That he did upon the 20th day of December, 1821, demand of the agent authorised to manage the concerns of the branch bank located at Vevay, payment of the notes on said

branch, amounting to the sum of \$7,081 00. That he did, in like manner, upon the 22d day of said month, demand of the like agent authorised to manage the concerns of the Brookville branch bank, payment of the notes upon said branch, amounting to the sum of \$12,216 00. That on the 27th of said month he did demand of the cashier of the Corydon branch bank, payment for the notes on said branch, amounting to the sum of \$148 00—And that he did upon the 29th of said month, tender to the cashier of the bank of Vincennes, adopted as the state bank of Indiana, the above recited sums, together with the sum of 1,455 00 doills. notes on the said bank, amounting in all to the sum of 21,200 00 which the said cashier refused to receive, alleging that the state of Indiana was not indebted to that banking institution. All which by a reference to the copies of the certificates, marked from letter A to D, will more fully appear.

Respectfully submitted.

D. C. LANE, Treasurer.

Copy A.

VEVAY, December 20, 1821.

The undersigned do hereby certify, that Daniel C. Lane, Esquire, treasurer of the state of Indiana, did on this day, with a the usual banking hours, for and on behalf of the state of Indiana, present to S. Wheeler and Thomas Armstrong, agents of the President and Directors of the Vincennes bank, adopted the state bank of Indiana, at their office in Vevay, divers bills or notes issued by the said Vincennes bank, and made payable at their branch or office of discount and deposit heretofore located at Vevay, in the whole, amounting to seven thousand and eighty one dollars; and did then and there demand payment of the said bills from the said agents, they having the custody and control of the concerns and funds of said branch now discontinued, which payment was by said agents refused, they giving as a reason for said refusal, that there were no

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funds deposited with them or placed under their control, by the said President and Directors of the Vincennes bank, wherewith they might or could pay or discharge the said notes or any part of the said notes.

Given under our hands the day and year above written.

R. W. NELSON,

ABNER CLARKSON.

Copy B.

BROOKVILLE, Dec. 22, 1821.

The undersigned do hereby certify, that Daniel C. Lane, Esquire, treasurer of the state of Indiana, did on this day, within the usual banking hours, for and on behalf of the state of Indiana, present to Robert Hanna, one of the agents of the President and Directors of the Vincennes bank, adopted the state bank of Indiana, at their office in Brookville, divers notes or bills issued by the said bank and made payable at their branch or office of discount and deposit heretofore located at Brookville, in the whole, amounting to twelve thousand two hundred and sixteen dollars, and did then and there demand payment of the said bills from the said agent, he having the custody and control of the concerns and funds of said branch now discontinued, which payment was by said agent refused, he giving as a reason for such refusal, that there were no funds deposited with him or placed under his control by the President and Directors of the said Vincennes bank, wherewith he might or could pay or discharge the said notes or any part thereof.

Given under our hands the day and year above written.

R. W. NELSON,

A. P. ANDREWS, Jr.

Copy C.

CORYDON, Dec. 27th, 1821.

The undersigned do hereby certify, that Daniel C. Lane, Esquire, treasurer of the state of Indiana, did on this day, within the usual banking hours, for and on behalf of the state of Indiana, present at the branch of the Vincennes bank, adopted as the state bank of Indiana, located at Corydon, and usually called the Corydon Branch, to Thomas Posey, Esq. the cashier of said Branch, and having the custody of the funds thereof, divers notes or bills issued by said bank, and made payable at said branch, in the whole, amounting to four hundred and forty eight dollars; and did then and there demand payment of the said notes or bills from the said cashier, which was then and there, by the said cashier, refused to be made, except in bills drawn on sundry persons to more than the amount, said bills being protested.

Given under our hands this 27th December, 1821.

R. W. NELSON.
FRANCIS N. MOORE.

Copy D.

VINCENNES, December 29, 1821.

The undersigned do hereby certify, that Daniel C. Lane, Esq. treasurer of the state of Indiana, did on this day, within the usual banking hours, for and on behalf of the state of Indiana, present at the bank of Vincennes, adopted the state bank of Indiana, to Carter Brame, Esq. Cashier of said bank, and having the custody of the funds thereof, divers notes or bills issued by said bank, of which twelve thousand two hundred and sixteen dollars were made payable at the Brookville branch of said bank; seven thousand eighty one dollars were made payable at the Vevay branch of said bank; four hundred and forty-eight dollars were made payable at the Corydon branch of said bank, and one thousand four hundred and fifty five dollars, made payable at the principal bank aforesaid, at Vincennes, the total of which amounting to twenty one thousand and two hundred dollars,

The said Daniel C. Lane, treasurer aforesaid, did then and there tender to said cashier, in payment and discharge of certain evidences of debts due from the state of Indiana to said bank, ten thousand dollars, of which is due and payable on the thirtieth instant, four thousand dollars due early in January in the year 1822, and six thousand dollars due in April 1822, together with the interest thereon accrued and unpaid, and did then and there demand the evidences of said debts to be given up—And thereupon, the said cashier answered that said bank had no claim or demand for any debt due them, or to fall due hereafter on the state of Indiana.

Given under our hands the 29th December, 1821.

R. W. NELSON,

JOHN LAW.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed the following resolution, to which they request the concurrence of the House of Representatives, viz.

Resolved by the Senate, the House of Representatives concurring therein, that the General Assembly will adjourn on to-morrow, sine die.

And he withdrew.

And the said resolution was read and concurred in.

Ordered, That the Senate be informed thereof.

The Speaker laid before the House, a communication from D. C. Lane, treasurer of state, which was read and is as follows, viz.

TREASURY DEPARTMENT.

CORYDON, January 2, 1822.

The treasurer of state, in obedience to an act of the General Assembly of the state of Indiana, approved January 9th, 1821, authorising the issuing of treasury notes, submits the following report:

That of the treasury notes authorised by the above recited act, 9,910 00 dolls. have been issued at the treasury, in discharge of claims due individuals on this department, leaving the sum of 90 00 dollars unissued, that out of the sum of 9,910 dolls. at one time in circulation, the sum of 6,445 dolls. has been returned to the treasury, leaving in circulation on this day, the sum of 3,445 00.

Respectfully submitted.

D. C. LANE, Treasurer.

Which communication was read and laid on the table.

Mr. Tipton presented the petition of Samuel Bell and others, praying that the road may be changed from Corydon to Salem, which was read—And,

On motion of Mr. Johnston of Knox—

The further consideration of said petition was indefinitely postponed.

Mr. Tipton then moved for leave to withdraw said petition, which leave was refused.

Mr. Milroy from the committee, on that subject, made the following report:

The select committee appointed agreeably to a resolution of this House, to enquire into the conduct of the Agent at Indianapolis respecting a report in circulation, that said A.

gent had made exchanges with silver on treasury notes with a view of speculation.

Your committee having had the same under consideration, and having made every enquiry, find that said report was unfounded, and feel happy to state to this House, that they believe him worthy of the confidence reposed in him.

In which report the House concurred.

On motion—

The House receded from their amendment to the amendment made by the Senate to the bill from this House, entitled an act to amend the act to prevent waste on lands reserved for the use of schools and salt springs.

Ordered, That the Senate be informed thereof.

On motion of Mr. Thompson—

The House reconsidered the vote heretofore taken on the postponement of the bill from the Senate, authorising the guardians of the infant heirs of Henry Hecky, deceased, to lay out certain monies—and the said bill was then read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill establishing a board of magistrates, and abolishing the office of county commissioners was read the third time and rejected—and on the question of its passage the yeas and nays being demanded by Messrs. Shelby and Johnston of Knox, the votes were as follows: Yeas 18. Nays 21.

In the affirmative were,

Messrs. Arion,
Battell,
Canby,
Kimberly,
Kirkpatrick,
Lindsey,

Clark,
Cox,
Dewey,
Doughe,
Green,
Johnson of P.
Milroy, of L.
Prince
Ray,
Reed,
Thompson, and
Wallace,

And those in the negative were,

Messrs. Beckes,
Benefield,
Bentley,
Braman,
Brown,
Chamberlin,
Crisler,
Dixon,
Holman,
Johnston, of Knox,
Lane,
Merrill,
Mitchell,
Mardock,
Powell,
Shelby,
Tipton,
Waldo,
Wright of R.
Wright of W. and
Mr. Speaker

The bill to amend the act respecting crimes and punishments was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The House now, according to order, resolved itself into a committee of the whole, on the bill making appropriations for the year 1822, Mr. Powell in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they ask the concurrence of the House.

On motion—

The House concurred in said amendments, and the said

Bill was ordered to be engrossed for a third reading to-day.

A message was received from the Senate by Mr. Bartholomew, announcing that the Senate had passed a joint resolution, in which they request the concurrence of this House.

And he withdrew.

Mr. Lane from the joint committee for enrolled bills, reported the following bills truly enrolled, viz:

An act to establish a permanent road from Leavenworth to Terre Haute.

An act attaching the county of Wabash to the counties of Park and Putnam, for certain purposes.

An act to amend the act respecting public seminaries, and for other purposes, Approved January 26th, 1818.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate for the signature of the president.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed the aforesaid bills.

On motion—
The committee of the whole to whom was referred, the bill for the relief of John T. Chunn, were discharged therefrom—And

On motion of Mr. Merrill—

The said bill was amended by striking out the preamble thereof.

On motion of Mr. Prince—

The said bill was further amended, by inserting the names of "J. D. McDonald, Abraham Markee, Sen. and William Briscoe." the said bill was then read the third time—and on the question, Shall this bill pass? It was decided in the negative.

And the yeas and nays being demanded by Messrs. Chamberlin and Murdock, the votes were as follows: Yeas 17.—Nays 19.

Those who voted in the affirmative were,

Messrs. Arion,	Mitchell,
Battell,	Prince,
Beekes,	Ray,
Benefield,	Reed,
Bentley,	shelby,
Braman,	Thompson,
Dowey,	Tipton, and
Donaghe,	Mr. speaker.
Lane,	

Those who voted in the negative were,

Messrs. Brown,	Kimberly,
Canby,	Lindsey,
Chamberlin,	Merrill,
Clark,	Milroy,
Cox,	Murdock,
Crisler,	Powell,
Dixson,	Wallace,
Green,	Wright of W. and
Holman,	Wright of R.
Johnston, of K.	

On motion,

The committee of the whole were discharged from the
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further consideration of the bill for the relief of the sheriff of Fayette county, and the said bill was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence requested.

On motion—

The committee of the whole to whom was referred, the bill attaching part of the county of Clark to the county of Washington were discharged from the further consideration thereof, and the said bill was read the third time and passed.

Ordered, That it be entitled an act and that the Senate be informed thereof, and their concurrence therein requested.

On motion—

The committee of the whole, were discharged from the further consideration of the bill to amend the act regulating enclosures, approved January 27th, 1818.

And the said bill was read the third time—And

On motion of Mr. Murdock—

Postponed till the first Monday in December next.

On motion of Mr. Johnston of Knox—

The bill to provide for the payment of postage on letters directed to the officers of state on public business; and the engrossed bill from the Senate entitled an act to regulate the postage and payment of letters addressed to the office of the secretary of state, were indefinitely postponed.

On motion,

The committee of the whole to whom was referred the bill to encourage the killing of wolves, were discharged from the further consideration thereof.

And Mr. Milroy moved that the further consideration of said bill be indefinitely postponed, and the yeas and nays being demanded by Messrs Murdock and Shelby, the votes were as follows:—Yeas 16—Nays 19.

Those who voted in the affirmative were,

Messrs. Beckes,	Lane
Brown,	Merrill,
Cashy,	Milroy,
Donaghe,	Prince
Holman,	Thompson,
Johnston of K.	Wright of R.
Kimberly,	Wright of W. and
Kirkpatrick,	Mr. Speaker.

And those who vote in the Negative were,

Messrs. Arion,	Johnson, of Pike,
Battell,	Lindsey,
Benefield,	Mitchell,
Bentley,	Murdock,
Chamberlin,	Powell,
Cox,	Ray,
Dewey,	Reed,
Dixon,	Shelby
Green,	Tipton and
	Waldo,

Mr. Weight of Washington moved to amend said bill so that Washington county may be exempted from the effect and operation of this law. But the previous question being called for, the main question was then put, Shall this bill pass? On which question the yeas and nays being demand-

ed by Messrs. Shelby and Murdock, the votes were as follows :—Yeas 18—Nays 18.

In the affirmative were,

Messrs. Benefield,	Merrill
Bentley,	Mitchell
Cox	Murdock
Clark,	Powell,
Dewey,	Ray
Dixson	Reed,
Green,	Shelby
Johnson of P.	Tipton and
Lindsey,	Wallace,

And those who voted in the negative were,

Messrs. Beckes	Kimberly,
Braman	Kirkpatrick
Battell,	Lane
Canby,	Milroy,
Crisler,	Prince
Chamberlin	Thompson
Donaghe,	Wright of R.
Holman	Wright of W. and
Johnston of K.	Mr. Speaker

There being an even number of votes in the affirmative and negative the bill failed.

A message was received from the Senate by Mr. Harrison, announcing that the Senate had passed the engrossed bill from this House, to amend the act entitled an act reducing into one all the acts and parts of acts relative to crime and punishment, with an amendment, in which they request the concurrence of this House.

And he withdrew.

And the House proceeded to consider said amendment—which was the striking out the section which prescribed a penalty for fornication and adultery ; and on the question, Will the House concur in said amendment? it was decided in the negative and the yeas and nays being demanded by Messrs. Johnston of Knox and Beckes, the votes were as follows :—Yeas 10—Nays 26.

And those who voted in the affirmative were,

Messrs. Arion,	Reed,
Bentley,	Thompson
Canby,	Waldo
Donaghe,	Wright of W. and
Ray,	Mr. Speaker.

Those who voted in the negative were,

Messrs. Battell,	Kimberly,
Beckes,	Kirkpatrick,
Benefield,	Lane,
Brown	Merrill,
Chamberlin,	Milroy,
Clark,	Mitchell,
Cox,	Murdock,
Crisler,	Powell,
Dewey,	Prince,
Dixson,	Shelby,
Green,	Tipton,
Holman,	Wallace and
Johnston of K.	Wright of R.

Ordered, That the Senate be informed thereof.

Mr. Mitchell offered the following resolution, which was read and rejected :

Resolved, That the Senate be requested to meet the House of Representatives in the Representative chamber this evening.

ing at six o'clock, to elect three directors of the state bank of Indiana on the part of the state.

And the House adjourned till two o'clock P. M.
The House met pursuant to adjournment.

The House proceeded to consider the joint resolution from the Senate for printing immediately the act dividing the state into judicial districts—And

On motion,

The same was amended by inserting the act to amend the act regulating the assessment and collection of revenue : and the act to amend the act reducing into one all acts and parts of acts regulating proceedings in actions at law and suits in chancery.

And the said resolution was then read the third time and passed.

Ordered, That the Senate be informed thereof.

The bill to amend the act locating certain permanent roads therein named, and for other purposes, approved January 23d, 1820 ; was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof and their concurrence requested.

On motion of Mr. Merrill—

The committee of the whole were discharged from the further consideration of the bill locating a road from Lawrenceburgh through Vevay to Madison, and the said bill was read the third time and passed.

Ordered, That said bill be entitled an act, and that the

Senate be informed thereof, and their concurrence requested.

Mr. Beckes introduced a joint resolution for the benefit of Reuben W. Nelson and others ; which was read three times, the rule being dispensed with, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Canby—

The committee of the whole were discharged from the further consideration of the bill locating certain roads, and the said bill was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill making appropriations for the year 1822, was read the third time—And

On motion,

Recommitted to a committee of the whole House, and made the order of the day for to-day—And

On motion—

The House now resolved itself into a committee of the whole on said bill. Mr. Beckes in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beckes reported, that the committee of the whole had according to order, had said bill under consideration and had made some amendments to the same, in which amendments they ask the concurrence of the House.

On motion—

The House concurred in said amendments generally.

The said bill was then read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurred request.

A message was received from the Senate by Mr. Graham, announcing that the Senate insist on their amendment to the bill in amendment of an act entitled an act to reduce into one all acts and parts of acts relative to crime and punishment, to which the House of Representatives disagree.

The Senate had concurred in the amendment made by the House of Representatives to the joint resolution of the General Assembly of the state of Indiana, on the subject of printing immediately the act providing for judicial circuits and fixing the times of holding courts therein.

The act to amend the act regulating the assessment and collection of revenue.

And the act to amend the act to reduce into one all acts and parts of acts relative to proceedings in actions at law and suits in chancery.

And had passed an engrossed bill from this House, entitled an act respecting counties and county libraries, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed the engrossed bill from this House for the relief of the sheriff of Fayette county, without amendment.

And he withdrew.

The following message was received from his excellency the Governor, by H. H. Moore, Esq. his private secretary.

Mr. Speaker,

I am requested by his excellency the Governor, to announce to the House of Representatives, that he did on this day approve and sign

1. An act to amend an act regulating divorces, Approved January 26th, 1818.

2. An act to continue in force, an act entitled an act supplemental to an act locating certain roads therein named and for other purposes, Approved January 9th, 1821.

3. An act amendatory to the several acts now in force, regulating the assessment and collection of revenue.

4. An act to establish a permanent road from Leavenworth to Terre Haute.

5. An act to amend the act respecting public seminaries and for other purposes, Approved January 26th, 1818.

6. An act for the relief of Ann Ludlow.

7. An act authorising called sessions of the circuit courts within this state for the purposes therein mentioned.

8. An act attaching the county of Wabash to the counties of Parke and Putman, for certain purposes.

9. An act to provide for the sale of the Seminary township in Gibson county and for other purposes.

10. An act supplemental to the act, providing for the incorporation of towns in the state of Indiana, Approved January 1817.

All of which originated in the House of Representatives.

Respectfully &c.

H. MOORE, P. Sec'y.

B8

The bill to provide for the collection of fines in certain cases, was taken up and indefinitely postponed.

The bill to amend the act directing the mode of proceeding in impeachments, was read the third time and passed.

Ordered, That the Senate be informed thereof and their concurrence requested.

The bill from the Senate entitled an act repealing part of an act authorising the building of a state prison at Jeffersonville, was taken up and postponed till the first Monday in December next.

The bill to amend the several acts on the subject of executions, was read the third time and passed; and on the question of its passage, the yeas and nays being demanded by Messrs. Lane and Thompson, the votes were as follows:—Yeas 27—Nays 5.

Messrs. Arion, Holman, Kimberly, Milroy and Thompson, voted in the negative, and all the rest in the affirmative.

The joint resolution for the relief of Harben H. Moore; was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Thompson handed in the following protest against the bill to amend the act directing the mode of proceeding in impeachments to wit:

The undersigned in behalf of his constituents protests against the passage of the bill to amend the act directing the mode of proceeding in impeachments, for the following reason:

It encourages crime because it virtually puts it out of the power of the poor though honest man to prosecute a

public officer by impeachment; for no man in indigent circumstances will venture to arraign an officer when he reflects on the difficulty of establishing guilt from the wild genius of our laws and the influence of official power; the inevitable consequence then will be, that the ability to prosecute by impeachment will fall into the hands of the opulent and wealthy, who are in general in the least danger of imposition from public officers.

JOHN H. THOMPSON,

ALEXR. WALLACE.

The bill to locate a state road from Charlestown to New Albany by the way of Utica and Jeffersonville.

The bill to appoint commissioners to relocate a road from the town of Rising Sun to Napoleon.

The bill supplemental to an act regulating the mode of summoning and impannelling grand jurors.

The bill locating a permanent road from Vernon to Columbus.

The bill in addition to the act supplemental to the act locating certain permanent roads and for other purposes.

The bill locating a permanent road from Napoleon to Indianapolis.

The engrossed bill to amend the act regulating the militia.

The bill supplemental to the act authorising a writ of quo warranto to issue against the bank of Vincennes, the state bank of Indiana; and the engrossed bill from the Senate entitled an act to declare the law on the subject of fees, were each taken up and their further consideration thereof indefinitely postponed.

By request,

The Speaker retired from the chair, Mr. Murdock presided as Speaker protem.

Mr. Mitchell submitted the following resolution, which was read and unanimously adopted:

Resolved unanimously,

That thanks of the House of Representatives be tendered to the Honorable Samuel Milroy, for the correct and impartial manner in which he has discharged the arduous duties of the highly responsible station assigned him during the present session of the General Assembly.

And the House adjourned till six o'clock this evening.

The House met pursuant to adjournment.

On motion;

Resolved, That this House recede from their objections to the amendment made by the Senate to the bill supplemental to the act reducing into one all acts and parts of acts relative to crime and punishment, and that the Senate be informed thereof.

And on the question of receding, the yeas and nays being demanded Messrs. Beckes, Clark, Green, Holman, Mitchell and Ripon, voted in the negative, and all the rest in the affirmative.

A message was received from the Senate by Mr. Wick, announcing that the Senate had concurred in the amendment made by the House of Representatives to the engrossed bill from the Senate entitled an act supplemental to an act entitled an act subjecting real and personal estate to execution, which originated in the Senate.

And had also passed the engrossed bill from this House,

entitled an act to amend the act prescribing the mode of proceeding in impeachments, approved January 21st, 1818, without amendment.

And he withdrew.

Mr. Ray having obtained leave introduced a joint resolution concerning the law passed at the present session of the General Assembly, which was read the first time, and the rules being dispensed with, the same was read the 2d time and third time and passed.

Ordered That the Senate be informed thereof, and their concurrence therein requested.

On motion of Mr. Kimberly—

Resolved. That the secretary of the state, and clerk of the House of Representatives be directed to deliver to the secretary of state the surplus stationary and furniture of their respective Houses for safe keeping until the next session of the General Assembly.

Ordered. That the Senate be informed thereof, and their concurrence requested.

Mr. Lang from the joint committee for enrolled bills reported, that the said committee had examined the following enrolled bills and found the same truly enrolled, to wit:

An act authorising the guardians of the infant heirs of Henry Heeky deceased, to lay out certain monies.

An act for dividing this state into Congressional districts, for the election of members to the Congress of the United States.

Whereupon,

The Speaker signed the same.

Ordered, That they be carried to the Senate for the signature of the president.

On motion of Mr. Dixon—

The House reconsidered the vote theretofore taken, rejecting the bill for the relief of John T. Chunn; and the said bill was then read, and on the question of its passage, the yeas and nays being demanded by Messrs. Johnston of K. and Murdock, the votes were as follows:—Yeas 20, Nays 12.

Those who voted in the affirmative were,

Messrs. A lion,	Lindsey,
Bathell,	Mitchell,
Burkes,	Prince,
Burfield,	Ray,
Bentley,	Reed,
Brian,	Shelby,
Dewey,	Thompson,
Dixon,	Tipton,
Donaghy,	Waldo, and
Lane,	Mr. Speaker,

Those who voted in the negative were,

Messrs. Canby,	Kimberly,
Clark,	Merrill,
Cox,	Murdock,
Crisier,	Wallace,
Green,	Wright of W. and
Johnston of K.	Wright of R.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Blake, announcing that the president of the Senate had signed the enrolled bill entitled an act authorising the guardians of the infant heirs of Henry Heeky deceased, to lay out certain moneys; and the enrolled bill entitled an act providing for

state into Congressional districts, for the election of members to the Congress of the United States.

And he withdrew.

On motion of Mr. Merrill—

Resolved, That a committee be appointed to act with a similar committee who may be appointed on the part of the Senate, to wait upon his Excellency the Governor, to inform him that both Houses of the General Assembly have finished the business before them, and to inquire of him whether he has any other communications to make to them.

A message was received from the Senate by Mr. Wick, announcing that the Senate had passed the joint resolution from this House, for the relief of Harbin H. Moore, and for other purposes, without amendment.

And have concurred in the resolution from this House on the subject of stationery.

And the House adjourned until to-morrow morning 7 o'clock.

THURSDAY MORNING, Jan. 3d, 1822.

House met pursuant to adjournment.

The Speaker laid before the House the report of M. S. Craig, trustee of public seminary of Ripley county, from which it appears there is in his hands the sum of \$146 56 1-4 of the seminary funds of said county.

The Speaker also laid before the House the annual report of Willis Snyder, trustee of public seminary for Spencer county, as also the report of James Walker, trustee of public seminary for Dearborn county, from which it appears there is in the hands of the former the sum of \$136 40 cts. belonging to the seminary of said county, and in the hands

of the latter the sum of \$410 80 cents of the seminary funds of said county.

Which reports were read and laid on the table.

Mr. Johnston of Knox, now presented the following protest viz.

We undersigned in the name of themselves and their constituents, protest most solemnly against the passage of the "act for the relief of John P. Cullen and others, for the following reasons:

1st. The law, against the operation of which the said Cullen and others are intended to be relieved, was in force long before the commission of the crime of duelling, of which the said parties acknowledge to have been guilty;—the same has continued and still is in force; therefore the present relief is a direct violation of the intention and meaning of the "Act to prevent duelling."

2. It is derogatory to the dignity and character of a state to enact penal laws, and afterwards relieve against their breach or infringement.

3d. Such conduct in an enlightened legislature, will sooner or later sap and undermine our republican government, in too easily relieving culprits from punishment for a determined, premeditated, open and direct violation of our criminal laws, thereby holding them out to community as mere scare crows.

4th. Such conduct as the present "act" purports, is an encouragement to the infamous and detestable crime of duelling, properly termed "honorable murder."

Jan. 2, 1822.

G. W. JOHNSTON,
Z. KIMBERLY,
G. L. MURDOCK,
NOAH BRIGHT,
ALEXANDER WALLACE,
HENRY GREEN.

Mr. Lane from the committee for enrolled bills, reported the following bills truly enrolled, entitled acts, to wit:

An act to amend the act defining the duties of constables.

An act for the relief of the sheriff of Fayette county.

An act respecting county agents and county seminaries.

An act to provide for the distribution of the laws and journals.

An act amending and confirming an act regulating the fees of the officers and persons therein named, Approved January 21st, 1818.

An act authorising the agent of Indianapolis to lease a ferry and for other purposes.

An act supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs.

A joint resolution respecting the revision of the laws.

A joint resolution of the General Assembly of the state of Indiana.

An act supplemental to an act entitled "an act subjecting real and personal estate to execution."

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate for the signature of the President thereof.

A message was received from the Senate by Mr. Blake.

announcing that the President of the Senate had signed the aforesaid bills.

A message was received from the Senate by Mr. Gray, announcing that the Senate had passed the joint resolution from this House, respecting the printing of the laws of the present General Assembly, without amendment.

And he withdrew.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had passed the bill from this House, making appropriations for the year 1822, with sundry amendments, to which they ask the concurrence of this House.

And he withdrew.

A message was received from the Senate by Mr. Blake, announcing that the Senate have concurred in the resolution of this House, appointing a committee to wait on his excellency the Governor to inform him that both Houses of the General Assembly have gone through the business before them, and to enquire of him whether he has any other communications to make to them, and have appointed Messrs. Cotton and Blake a committee on their part.

And he withdrew.

The House proceeded to consider the amendments made by the Senate, to the bill making appropriations for the year 1822—And,

On motion

The House concurred in the said amendments, except the one made, by which bank directors on the part the state are allowed compensation for their services as such, in which amendment the House refused to concur.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Slaughter, announcing that the Senate had receded from the aforesaid amendment to said bill.

The House proceeded to consider the objections of the Senate to the amendments made by this House, to the bill from the Senate entitled an act for the relief of John T. Chunn—and,

On motion,

Resolved, That this House insist on their said amendments.

ORDERED, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate insist on their objections to the amendments made by this House to the bill for the relief of John T. Chunn.

And he withdrew.

Mr. Lane, from the joint committee for enrolled bills, reported that the said committee had examined and found truly enrolled the following bills, entitled acts, to wit,

An act in amendment of an act entitled an act to reduce into one all acts and parts of acts relative to crime and punishment, approved Jan. 29th 1818.

An act to amend the act directing in mode of impeachment, approved Jan. 21, 1818.

A joint resolution confirming the laws of the present General Assembly.

A joint resolution for the relief of Harbin H. Moore.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate for the signature of the president.

A message was received from the Senate by Mr. Blake, announcing that the President of the Senate had signed the aforesaid bills.

The following message was received from his Excellency the Governor by H. H. Moore, his private secretary, announcing that he did on this day approve and sign the following acts, to wit:

An act to amend the act defining the duties of constables.

An act to provide for distributing the laws and journals.

An act amending and confirming an act regulating the fees of the officers and persons therein named.

An act authorising the agent of Indianapolis to lease a ferry and for other purposes.

An act supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs.

An act respecting county agents and county libraries.

A joint resolution respecting the revision of the laws.

All which originated in the House of Representatives.

Mr. Lane from the joint committee for enrolled bills reported, that the said committee did on this day, present to his Excellency the Governor for his approbation and signature, the following enrolled bills entitled acts, to wit:

A joint resolution respecting the laws of the present session of the General Assembly.

An act in amendment of an act to reduce into one all the acts and parts of acts relative to crimes and punishments, approved Jan. 29th, 1818.

An act to amend the act directing the mode of proceeding in impeachment.

A joint resolution for the benefit of Harbin H. Moore, and for other purposes.

Mr. Lane from the joint committee for enrolled bills reported, that said committee had examined and found truly enrolled, the act making appropriations for the support of government for the year 1822.

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate for the signature of the President.

A message was received from the Senate, announcing that the President of the Senate had signed the aforesaid bill.

Mr. Lane from the joint committee for enrolled bills, reported, that the said bill had on this day, been presented to the Governor for his approbation and signature.

The following message was received from the Governor, by H. H. Moore, Esq. his private secretary, to wit:

Mr. Speaker,

I am requested by his Excellency the Governor, to announce to the House of Representatives, that he did on this day approve and sign—

An act to amend the act directing the mode of proceeding in impeachments, approved January 21st, 1818.

An act in amendment of an act entitled an act, to reduce into one act all the acts and parts of acts relative to crimes and punishments, approved, January 29th, 1818.

A joint resolution respecting the laws of the present session of the General Assembly—And

A joint resolution for the benefit of H. H. Moore, and for other purposes.

An act making an appropriation for the support of government for the year 1822.

All of which originated in the House of Representatives.

Respectfully, &c.

H. H. MOORE.

Mr. Thompson from the joint committee appointed to wait on his Excellency the Governor, made the following report:

The joint committee appointed to wait on his Excellency the Governor and inform him that both Houses of the General Assembly have finished the business before them, and to enquire of him whether he has any further communications to make to them, have performed that duty, and are instructed by the Governor to say, that he has no further communication to make at the present session.

On motion of Mr. Tipton—

Resolved, That the Senate be informed, that the House of Representatives have gone through their business and are now ready to adjourn *sine die*.

A message was received from the Senate by announcing that the Senate had gone through their business and were ready to adjourn *sine die*.

And the House adjourned *sine die*.

JOHN F. ROSS, Clerk
of the House of Representatives.

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